

# Acts of Assembly

PASSED IN THE

ISLAND OF JAMAICA,

In the Years 1789 and 1790.

ALL of Assembly

PASSED IN THE

ISLAND OF JAMAICA

In the Year 1780 and 1781

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# L A W S of J A M A I C A, &c.

*An Act to empower the Governor, Lieutenant-Governor, or Commander in Chief of this Island, to issue Writs for the Choice of Members to serve in the Assembly of the said Island, in the room of such Members who shall die during the Recess of the Assembly.* 1789.  
Passed 20th of November.



HEREAS many inconveniences have happened, and many disorders have been occasioned, for want of more speedy Elections of Members of the House of Assembly of this island, in the room of such who have died during the recess of the Assembly: For remedy, wherefore, of the like inconveniences and disorders in future, *Be it enacted* by the Lieutenant-Governor, Council, and Assembly of this island, and it is hereby enacted and ordained by the authority of the same, That, from and after the end of the present session of Assembly, upon the decease of any Member of the House of Assembly, during the recess thereof, the Custos, or, in his absence, the senior magistrate of the parish for which such Member had been duly elected and returned, shall, and he is hereby required, under the penalty of Fifty Pounds, in case of neglect, within fourteen days after the decease of such Member, to give notice thereof, in writing under his hand, to the Speaker of the House of Assembly for the time being; who is hereby required, within ten days after such notice shall be given to him, (or without such notice, if he shall be otherwise satisfied of the truth of the fact) to transmit an account, in writing under his hand, of the death of such Member, to the Governor, Lieutenant-Governor, or Commander in Chief of this island for the time being.

ACT 52.  
Preamble.

In case of the death of any Member of Assembly during the recess thereof, the Speaker to give notice of the same to the Governor, &c.

II. *And be it further enacted and ordained by the authority aforesaid,* That it shall and may be lawful for the Governor, Lieutenant-Governor, or Commander in Chief of this island for the time being, during the recess of the Assembly for more than twenty days,

1789. whether by prorogation, or adjournment from time to time, and whenever he shall receive such notice, as aforesaid, of the death of a Member of the House of Assembly, from the Speaker thereof for the time being, forthwith to direct the Clerk of the Patents of this island to make out a new writ for the Election of a Member of the House of Assembly, in the room of the deceased Member: And all and every writ or writs of Election, which shall be so made out during the recess of the Assembly, shall be directed and delivered to the Provost-Marshall-General of this island for the time being; and shall be executed by him, or his lawful deputy or deputies, in the same manner as writs of Election issued during the sitting of the Assembly.

who shall direct a new writ to be issued.

Penalty, how to be recovered.

III. And be it further enacted by the authority aforesaid, That the penalty in this act mentioned, shall be recovered in his Majesty's Supreme Court of Judicature of this island, by action of debt, bill, plaint, or information, wherein no essoin, protection, injunction, or wager of law shall be granted or allowed, or *Non vult ulterius prosequi* entered; any law, custom, or usage to the contrary notwithstanding; one moiety whereof shall be to the use of our Sovereign Lord the King, his heirs and successors, for and towards the support of the government of this island, and the other moiety thereof shall be to the use of the informer, or him, her, or them that shall sue for the same.

Passed 20th of November.

*An Act to give a Recompense to Persons that shall be unjustly vexed by Writs of Replevin.*

ACT 53. Preamble.

WHEREAS the right, title, and interest, to negro and other slaves, and to horses, mules, asses, and neat cattle, or other goods and chattels, have been, and now are, tried in the Supreme Court of Judicature, and in the several Courts of Assize, upon writs of Replevin: And whereas, by the usage of this island, such negro and other slaves, and such horses, mules, asses, and neat cattle, and other goods and chattels, are produced at all trials upon such writs of Replevin concerning them; which usage, by long experience, hath been found useful, by reason that the parties for whom judgments have passed at such trials, have had an immediate benefit of the same, by a delivery of the thing contended for: And whereas many plaintiffs in such writs of Replevin, by issuing such writs and further process thereupon, compel defendants to produce such negro and other slaves, and such horses, mules, asses, and neat cattle, and other goods



goods and chattels, at the said respective Courts, and, when the same are produced and kept there at a very great expense in money, besides the loss of the labour of them, the said plaintiffs will not come to trial upon such Replevins, but continue their causes over from court to court, to the intolerable charge and damage of the defendant: *And whereas* defendants do, in like manner, when any of the aforementioned particulars are delivered to the plaintiff, according to the exigency of such writs of Replevin, avoid coming to a trial under various pretences, whereby such plaintiffs are put to the like expenses, losses, charges, and damages: For remedying whereof, We, your Majesty's dutiful and loyal subjects, the Assembly of this your Majesty's island of Jamaica, do most humbly beseech your Majesty *that it may be enacted; And be it enacted* by the Lieutenant-Governor, Council, and Assembly of the said island, *and it is hereby enacted and ordained by the authority of the same*, That whenever it shall happen that any negro or other slave, or any horses, mules, asses, or neat cattle, or other goods and chattels, shall be produced by the plaintiffs or defendants in the said Supreme Court of Judicature, or Courts of Assize, in obedience to any writ of Replevin, or to any subsequent process grounded upon such writ, or to any rule of the said Supreme Court made thereon, or shall be in custody of the Provost-Marshal by virtue of the said process or orders, and the trial of such writ of Replevin shall be put off on the motion of such plaintiffs or defendants, not having the custody of such negro or other slaves, or of the horses, mules, asses, or neat cattle, or other goods and chattels, it shall and may be lawful for the said Supreme Court of Judicature, at the discretion of the said Court, according to the exigency of the case, to adjudge and award a reasonable recompense to be made to the party injured, by the party putting off such trial, for the expenses and charges of bringing such negro and other slaves, and such horses, mules, asses, and neat cattle, to the said Supreme Courts or Courts of Assize respectively, and of maintaining them there, and carrying them back to the place from whence they were brought, and all expenses and charges attending the producing any goods or chattels at such Supreme Court or Courts of Assize, and to compel the payment of the same by attachment, or by any other summary method which the said Supreme Court shall think proper.

The Supreme Court empowered to award a reasonable recompense to parties injured by delay of trial, in actions of Replevin.

II. *Provided always, and be it further enacted by the authority aforesaid*, That when any negro or other slave, or any horses, mules, asses, or neat cattle, or other goods and chattels, shall be produced to the said Supreme Court or Courts of Assize respectively, after an eloinment on the said writ of Replevin, or a *Nulla bona* on a writ of *Witbernem*, or a *Non est inventus* on a writ of *Capias in Witbernem*

No recompense to be allowed in certain cases to the party producing the replevied property.



1789. shall be returned; in such cases, the party producing them shall not be entitled to the benefit of the recompense by this act herein before granted, in such court or term wherein either of the said returns shall be made, in case the plaintiffs shall not go to trial in such court or term, or the subsequent courts of assize respectively: *Provided also*, That when any plaintiff or defendant in Replevin, not having the custody of the negro or other slaves, or of the horses, mules, asses, or neat cattle, or other goods or chattels mentioned in such Replevin, shall give notice in writing to the party having the custody of the same, six days before any supreme court or term, or courts of assize respectively, that he doth intend to come to trial on such Replevin in the same court or term, or courts of assize respectively, then, and in such case, if such plaintiff or defendant, having the custody of such negro or other slaves, or of such horses, mules, asses, or neat cattle, or other goods or chattels, shall produce them to the Supreme Court, or Courts of Assize respectively, immediately ensuing such notice, such plaintiff or defendant shall not be entitled to any recompense by this act granted and allowed for producing, maintaining, and carrying them back to and from the said Courts, or for producing any goods or chattels, in the said court or term for which notice shall be given.

Provost-Mar-  
shal's fees to  
be paid by the  
party putting  
off the trial.

III. *And be it further enacted by the authority aforesaid*, That when any negro or other slaves, or any horses, mules, asses, or neat cattle, or other goods or chattels, shall be in custody of the Provost-Marshal upon any writ of Replevin, or any subsequent process or rule of court grounded thereon, and the trial of such Replevin shall be put off, the fees for detaining such negro or other slave, and such horses, mules, asses, or neat cattle, or other goods or chattels, shall be paid by the party on whose motion such trial shall be put off.

Supreme  
Court em-  
powered to  
give a recom-  
pense to de-  
fendants,  
where judg-  
ment shall  
pass for them,  
or the plain-  
tiffs be non-  
sued.

IV. *And be it further enacted by the authority aforesaid*, That on all trials on writs of Replevin, wherein judgment shall pass for the defendant, or the plaintiff shall become nonsuit, it shall and may be lawful for the Supreme Court of Judicature, at the discretion of the said Court, according to the exigency of the case, to adjudge and award a reasonable recompense to be paid by the plaintiff to the defendant, over and above the usual costs of suit, for the charges, expenses, and losses such defendant shall sustain, by reason of bringing and producing the negro or other slaves, horses, mules, asses, or neat cattle, or other goods or chattels mentioned in the said Replevin, to the said Supreme Court, and Courts of Assize respectively, and of maintaining and keeping them there, and of leading or carrying them back to the place from whence they were brought; and to compel the payment of the same by attachment, writ of execution, or other process, or by any summary method which the said Supreme Court shall think proper.

*An Act for licensing Hawkers and Pedlers; and for applying the Monies to arise from granting such Licenses, towards the Support and Maintenance of the Poor of the Parishes where such Licenses are granted.* 1789.

Passed 20th of November.

**W**HEREAS the practice of hawking, peddling, and selling of goods, wares, and merchandises, from place to place, by white persons, free negroes, free mulattoes, and Indians, not regularly licensed, tends to the manifest prejudice of trade, to the great discouragement of housekeepers, who are subject to parochial duties and taxes, and is a means of conveying and disposing of great quantities of smuggled and stolen goods, wares, and merchandises: We, your Majesty's dutiful and loyal subjects, the Assembly of this your Majesty's island of Jamaica, do most humbly beseech your Majesty that it may be enacted; And be it enacted by the Lieutenant-Governor, Council, and Assembly of this your Majesty's said island, and it is hereby enacted by the authority of the same, That, from and after the passing of this act, there shall be paid into the hands of the Churchwarden or Churchwardens of the several parishes within this island, by every Hawker, Pedler, petty Chapman, or other trading person or persons going from town to town, from parish to parish, or to other persons houses, and travelling either on foot, or with horse, horses, or otherwise, within this island, carrying to sell, or exposing to sale, any goods, wares, and merchandises, a duty of Twenty Pounds for each year; and that every person so travelling with a horse, ass, or mule, or other beast, drawing or bearing burthen, shall pay the sum of Ten Pounds for each year he or she shall so travel with, over and above the first-mentioned sum of Twenty Pounds.

Duty to be paid by Hawkers, Pedlers, &c.

II. *And be it further enacted by the authority aforesaid*, That every Pedler, Hawker, petty Chapman, or other trading person or persons so travelling as aforesaid, upon receiving his or her license, as is hereafter expressed, shall pay, or cause to be paid, unto the Churchwarden or Churchwardens of the parish wherein such persons shall apply for a license, one moiety of the duty by this act made payable for the same, and give security by bond, with one or more sufficient securities, to be taken in the name of such Churchwardens and their successors, for the true payment of the other moiety of the said duties, at the end of six calendar months, unless the party shall choose to pay down the other moiety of the said duty; in which case, he or she shall be allowed after the rate of one shilling in the pound for prompt payment of the same; and thereupon a license shall be granted for him

Persons taking out licenses, to pay one moiety down, and give bond with security, for the remainder.

Persons choosing to pay the whole at taking out licenses, to be allowed a deduction.



1789. him or her to travel or trade, by the Justices in quarter-session assembled.

Penalty on  
persons trad-  
ing without  
licences.

III. *And be it further enacted by the authority aforesaid,* That if any Hawker, Pedler, or petty Chapman shall, after the passing of this act, be found trading, as aforesaid, without or contrary to such license, such person shall, for every such offence, forfeit the sum of Fifty Pounds; the one moiety thereof to the informer, and the other moiety to the poor of the parish where such offender shall be discovered; and that if any person so trading, upon demand made by any Justice of the Peace, Constable, or other peace-officer, in any town or parish wherein he or she shall so trade, shall refuse to produce and shew unto such Justice, Constable, or other peace-officer, his or her license for so trading, that then the person so refusing shall forfeit the sum of Fifty Pounds, to be paid into the hands of the Churchwarden or Churchwardens of the parish where such demand shall be made, for the use of the poor of such parish.

Penalty on  
persons refu-  
sing to shew  
licences.

IV. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for the Justices, in quarter-session, in each and every of the parishes or precincts in this island, and they are hereby directed, appointed, and required, upon the terms aforesaid, and upon the receipt and security given as aforesaid, to grant a licence, to be by them, or any two of them, subscribed, to any Hawker, Pedler, petty Chapman, or any other trading person, for him or herself, or for him or herself with one or more horses, asses, mules, or other beasts, which he or she shall travel with, as the case shall require; for drawing of which license there shall be paid to the Clerk of the Peace of such parish wherein such license is applied for, by the party applying for the same, the sum of ten shillings, and no more, unless such Hawker, Pedler, or petty Chapman shall travel with horse, ass, mule, or other beast bearing burthen, or any negro or other slave, and in that case there shall be paid for such license the sum of five shillings, over and above the duties aforesaid, and no more; and that each and every person and persons obtaining and having such license, shall be at liberty to travel and trade as aforesaid, through and in every town and parish within this island, without being subject or liable to the payment of any other duty or tax for so travelling and trading; and that the Churchwarden or Churchwardens of the several parishes in this island shall keep a separate and distinct account of the duties to be raised by virtue of this act, and pay the monies arising thereby to and for the maintenance of the minister, parish church, and poor, in such manner as shall be directed by the Justices and Vestry of each parish.

Fees of the  
Clerk of the  
Peace.

Monies aris-  
ing by this  
act, how to  
be applied.

V. *And be it further enacted by the authority aforesaid,* That if any person



person or persons whatsoever shall forge or counterfeit any license or licenses, or travel with such forged or counterfeit licenses, for the purposes aforesaid, such persons, being thereof lawfully convicted, shall be, and are hereby made, subject and liable to such pains and penalties as may be inflicted on persons for forgery. 1789.

Penalty on persons forging licenses.

VI. *And be it further enacted by the authority aforesaid,* That if any person shall be sued, molested, or troubled, for putting any of the powers in execution contained in this act, or for doing any matter or thing pursuant thereunto, such person or persons may plead the general issue, *not guilty*, and give the special matter in evidence; and if the plaintiff or plaintiffs shall be nonsuited, or judgment be given against him or them upon demurrer, or a verdict pass for the defendant, shall have his or their treble costs, to be ascertained and awarded by the Judges of the court wherein such action shall be tried.

Persons sued for executing this act, if acquitted, to have their treble costs awarded them.

VII. *And be it further enacted by the authority aforesaid,* That if any Constable or Constables, or other officer of the peace, shall refuse or neglect, upon due notice, or on their own view, to be aiding and assisting in the execution of this act, being thereunto required, and each and every such officer and officers, being thereof convicted by the oath of one or more credible witness or witnesses, before any Justice of the Peace for the parish or place where such offence shall be committed, shall forfeit for each and every offence contrary to this act the sum of Five Pounds, to be levied by distress and sale of the offender's goods and chattels, by warrant under the hand and seal of such Justice, the one moiety to the poor of the parish where such offence shall be committed, and the other moiety to the informer who shall sue for the same; and in case no such distress can be found, then to commit the offender to gaol, there to remain for the space of one month, without bail or mainprize.

Penalty on officers for neglect of duty.

VIII. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for any person or persons whatsoever, to seize and detain any such Hawker, Pedler, petty Chapman, or other trading person or persons, as aforesaid, until such time as he, she, or they shall produce a license in that behalf, if he, she, or they have any; or, if he, she, or they shall be found trading without a license, contrary to this act, for such reasonable time as he, she, or they may give notice to the Constable, Tithingman, Churchwarden, or other parish-officer, who are hereby required to carry such person, so seized, before any two of his Majesty's Justices of the Peace, of the parish or place where such offence or offences shall be committed, which said Justices are hereby authorised and strictly required, either upon confession of the party offending, or due proof by witness upon oath, (which oath they are hereby empowered to administer) that the person

Persons trading to exhibit their licenses on demand, or be subject to penalty.

1789. son so brought before them had so traded as aforesaid, and that no such license shall be produced by such offender before such Justices, they shall, by warrant under their hands and seal, cause the said sum of fifty pounds to be forthwith levied by distress and sale of the offender's goods, wares, or merchandises, rendering the overplus, if any, to the owner or owners thereof, after a deduction of one shilling in the pound, for the expenses attending such distress and sale: *Provided always*, That complaint shall be made within forty-eight hours after the offence committed: *Provided always, and it is hereby enacted by the authority aforesaid*, That if any Churchwarden or Churchwardens shall divert or misapply any of the monies that shall be paid unto him or them, by virtue of this act, to any other use or purpose than is hereby directed, then such person offending shall forfeit and pay treble the value of any sum or sums of money so diverted or misapplied, contrary to the directions of this act.

Penalty on Churchwardens misapplying the monies arising by virtue of this act.

IX. *And be it further enacted by the authority aforesaid*, That if any shopkeeper or trader shall, by him or herself, by his or her slave or slaves, or by any person or persons for him, her, or them, hawk and peddle any goods, wares, or merchandises, contrary to the true intent and meaning of this act, and without having first obtained a license for that purpose, such shopkeeper or trader is hereby made subject and liable to the pains and penalties to be inflicted on persons offending against this act.

Persons hawking and peddling without license, liable to the penalties of this act.

X. *And be it further enacted by the authority aforesaid*, That this act shall continue and be in force, from the passing thereof, for and during the term of three years, and no longer.

Continuance of this act.

Passed 20th of November. *An Act to explain and amend an Act for amending and keeping in Repair the Road leading from Pepper Plantation in the Parish of Saint Elizabeth, to Savanna-la-Mar in the Parish of Westmoreland; and for vesting in Trustees the Toll raised by a Turnpike or Turnpikes on the said Road for the Purposes aforesaid; and also for amending and keeping in Repair the Road leading from Savanna-la-Mar in the Parish of Westmoreland, to Lucea and Green Island, in the Parish of Hanover; and for vesting in Trustees the Toll raised by a Turnpike or Turnpikes on the said Road.*

WHEREAS



1789.

**W**HEREAS in and by an act, passed in the year of Our Lord one thousand seven hundred and eighty-one, entitled, "*An ACT 55. Act for amending and keeping in Repair the Road leading from Pepper Plantation, in the Parish of St. Elizabeth, to Savanna-la-Mar, in the Parish of Westmoreland; and for vesting in Trustees the Toll raised by a Turnpike or Turnpikes on the said Road, for the Purposes aforesaid,*" the Trustees therein mentioned are empowered to erect, or cause to be erected, one or more gate or gates, turnpike or turnpikes, near the Cove, at Fonthill, in the parish of St. Elizabeth, and one other at Bluefields, in the parish of Westmoreland: *And whereas* it is found by experience, that keeping up two gates between Fonthill and Savanna-la-Mar is very burthenfome and expensive, and ought to be remedied: *Be it therefore enacted* by the Lieutenant-Governor, Council, and Assembly of this your Majesty's island of Jamaica, *and it is hereby enacted and ordained by the authority of the same,* That, from and immediately after the passing of this act, the turnpike-gate erected and fixed at Bluefields shall be, and is hereby declared to be, suppressed and abolished; and that so much of the said in part recited act as directs the whole of the monies to be collected at the gate to be erected near the Cove, at Fonthill, in the parish of St. Elizabeth, to be laid out in repairing the roads and bridges in the said parish of St. Elizabeth, be and is hereby repealed.

Preamble.

Recital of a former act.

Turnpike at Bluefields abolished, and part of the above-recited act repealed.

II. *And be it further enacted by the authority aforesaid,* That, from and after the passing of this act, a moiety of the monies to be collected at the said gate near the Cove, at Fonthill, in the parish of St. Elizabeth, under and by virtue of the said in part recited act, shall be laid out and expended in repairing the road and bridges in the said parish of St. Elizabeth, leading from Pepper Plantation to the Cove, and the other moiety of such monies shall be laid out and expended in repairing the road and bridges in the said parish of Westmoreland, leading from the Cove to Savanna-la-Mar.

Monies arising from the toll at the Cove, how to be applied.

III. *And whereas* the road leading from Savanna-la-Mar, in the parish of Westmoreland, to Lucea, in the parish of Hanover, cannot, by the ordinary course provided by the laws of this island for repairing the highways, be effectually mended and kept in good and sufficient repair: To the intent that so necessary a road may be with all convenient speed amended, and kept in good and sufficient repair, May it please your Majesty *that it may be enacted; Be it therefore enacted* by the Lieutenant-Governor, Council, and Assembly of this your Majesty's island of Jamaica, *and it is hereby enacted and ordained by the authority of the same,* That the Hon. John Campbell, Esquire, the Hon. Wil-



1782.

Trustees.

Turnpike to  
be erected at  
Glasgow  
plantation.

Rates of toll.

Carriages em-  
ployed in the  
service of the  
roads, not to  
pay toll.

William H. Ricketts, Esquire, the Hon. Samuel Williams Haughton, Esquire, George Scott, William Blake, John Lewis, George Murray, James Wedderburn, John Graham, Richard Haughton Reid, Julines Hering, James Lawrence, David Connell, David Shakespear, Samuel Mure, James Miller, James Hay, Thomas James sen. William Brown, George Malcolm, David Finlayson, Hugh Fraser, David Murray, Thomas Stokes Salmon, Thomas Smith, and James Hart, Esquires, and the Rev. Thomas Warren, shall be, and they are hereby nominated and appointed, Trustees for the surveying, altering, amending, and keeping in repair, the road leading from Savanna-la-Mar, in the parish of Westmoreland, to Lucea and Green-Island, in the parish of Hanover, and also for putting in execution all other the powers in and by this act given; and they, and the survivors of them, or any three or more of them, or such person or persons as they, or any three or more of them, shall authorize and appoint, shall and may, from and immediately after the passing of this act, erect, or cause to be erected, one or more gate or gates, turnpike or turnpikes, at Glasgow plantation, in the parish of Westmoreland aforesaid, and upon or across any other part or parts of the said road, and there shall receive and take the toll and duty following, before any horse or other beast, or any coach, berlin, landau, chariot, chair, chaise, kittereen, wain, cart, or other carriages, shall pass through the same; viz. For every coach, berlin, landau, chariot, chair, or chaise, drawn by six horses or mules, the sum of ten shillings; for every of the aforesaid carriages drawn by four horses or mules, the sum of six shillings and eight pence; for every chaise, chair, or kittereen, drawn by two horses or mules, the sum of three shillings and four pence; and for every one drawn by one horse or mule, the sum of one shilling and eight pence; for every wain, waggon, cart, or carriage for goods, provisions, or merchandize, with four wheels, and drawn by three or more steers, horses, mules, or asses, the sum of six shillings and eight pence; for every two-wheeled cart or other carriage of the like kind, or to the like use, and drawn by less than three steers, horses, or mules, the sum of three shillings and four pence; for every drove of horses, mares, mules, steers, oxen, or neat cattle, the sum of fifteen shillings *per* score, and so in proportion for a greater or lesser number; for every drove of calves, sheep, goats, hogs, lambs, or kids, the sum of six shillings and eight pence *per* score, and so in proportion for a greater or lesser number; for every person journeying on horseback, or on a mare, mule, or ass, the sum of one shilling and eight

pence: *Provided always*, That this act doth not extend to charge with the said toll any person or persons, carriages, cattle, and things, that shall from time to time be employed in the actual service of the said

Trustees,

Trustees, in amending and repairing the said road, or collecting the said tolls: And the said respective sums of money shall be received and taken as and for a toll or duty; and the money thereby to be raised is, and shall hereby be, vested in the said Trustees, and be applied and disposed of for the amending and keeping in repair the said road, in manner and form following; that is to say, one fourth part of the money to be received at the toll gate or gates to be erected on Glasgow plantation aforesaid, shall be laid out and expended in repairing the road and bridges in the parish of Hanover, leading from Glasgow to Oliver's wharf, at Green-Island; that one half of such money remaining shall be laid out and expended in repairing the road and bridges in the parish of Westmoreland, leading from Savanna-la-Mar to Glasgow; and that the other remaining half of such money to be received as aforesaid, shall be laid out and expended in repairing the roads and bridges in the parish of Hanover, leading from Glasgow plantation aforesaid to Lucea: And the said Trustees, or any three or more of them, are hereby empowered and authorised, by themselves, or such person or persons as they, or any three or more of them, shall appoint, to levy the said several tolls or duties upon any person or persons who shall, upon demand thereof made, neglect or refuse to pay the same, by distress of any horse or horses, cattle or carriages, or the goods thereon loaden, from which such toll is or ought to arise, or upon any other the goods and chattels of him or them who ought to pay the same, and such distress to impound, keep, or detain, until such toll or duty, with all costs and charges reasonable incident to the same, be paid and satisfied, and further, to sell and dispose of the same in such sort, manner, and form as distresses for rent arrears may be sold and disposed of by the laws and statutes of Great-Britain.

IV. *And be it further enacted by the authority aforesaid,* That all such toll and duty, so to be raised and levied, shall be by the said Trustees applied to and for the amending and keeping in good and sufficient repair the said road, and the charges incident thereto, and likewise for building and repairing such bridges as may be thought necessary, and to and for no other purpose whatsoever.

V. *And be it further enacted by the authority aforesaid,* That if any person or persons having, or being in the care, management, or occupation of, any lands adjoining or near to such road, shall wilfully or wittingly suffer any person or persons to take or make use of any roads or bye-paths through such lands, thereby to prevent the payment of such toll or duty as aforesaid, and the person or persons so offending, as well as the owner or occupier of such lands, as the party making use of such artifice to avoid the payment of the toll or

1789.

How the monies arising from the said toll are to be applied.

Tolls may be distrained for on refusal of payment.

How such distresses are to be applied.

Penalty on persons evading the toll; or conniving at others doing so.



1789. duty as aforesaid, upon complaint in open session, or before two or more of his Majesty's Justices of the Peace for the parish or precinct where such offence shall be committed, and due proof thereof made, by oath of one or more credible witness or witnesses, shall respectively forfeit to the said Trustees three times the value of such toll or duty, or Five Pounds, at the election of the said Trustees, or any three or more of them, to be applied by them, or any three or more of them, to the uses in this act mentioned: And, further to prevent such frauds and abuses as aforesaid, that it shall and may be lawful to and for the said Trustees, or any three or more of them, to erect and place one or more gate or gates, turnpike or turnpikes, on the side or sides of the said road, cross any lane, path, or way leading from the said road, and there to demand, levy, or take such toll or duty, and to have such remedy for the same, as aforesaid, so as the same do not amount to a double charge, or exacting for one and the same thing in one and the same day, either in the parish of Westmoreland or the parish of Hanover.

Trustees empowered to erect turnpikes on cross roads, &c.

Trustees may appoint and remove officers for the roads and tolls.

Materials for the roads may be taken from waste lands adjoining.

In cases of trespass, a Jury to ascertain the damages, which shall be paid by the Trustees.

VI. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful to and for such Trustees, or any three or more of them, from time to time, as occasion shall require, by such warrant or writing as aforesaid, to appoint one or more overseer or overseers, surveyor or surveyors, of the said roads, and one or more receiver or receivers, collector or collectors of the said toll or duty, with such reasonable salary, hire, or reward as they shall think fit, and them, or any of them, so appointed to remove, and others in their place and stead to put; and that it shall and may be lawful to and for the said overseer or overseers, surveyor or surveyors, or any of them, their servants and slaves, or any others by them commanded, ordered, or appointed, to seek for, dig, carry away, and make use of, for making or repairing the said road, any stone, gravel, sand, or other such-like materials, in any common savanna, or other uncultivated ground, not enclosed, next adjoining or most convenient to such road: *Provided always,* That nothing in this act contained shall be construed to extend to empower the said Trustees, or any person or persons acting under them, or by virtue of this act, either in the laying-out, making, or repairing the said road, to molest, disturb, or trespass upon any person or persons whatsoever, or his or their dwelling-house, out-house or curtelage, works, negro-houses, cane-pieces, plantain-walks, or other provision-grounds, or in any settlement, penn, polink, pasture, or other inclosed grounds whatsoever, except upon uncultivated lands; in which case, one or more of the Trustees are hereby empowered to issue a warrant, to convene a jury of twelve freeholders to value and appraise the said land, the amount of

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of which to be paid by the said Trustees, out of the monies arising from the toll; but that, upon complaint made by any person or persons so molested, injured, or trespassed upon, in open session, or before two or more of his Majesty's Justices of the Peace for the parish or precinct where the same shall happen, it shall and may be lawful for the said Justices in session, or for such of the said Justices to whom such complaint shall be made, and they are hereby strictly enjoined and required so to do, summarily to hear the parties so complaining, and such witnesses as they shall offer to produce, upon oath, as likewise the said Trustees and the persons so appointed by them, and their witnesses, and upon the whole to make such order, either for the proceeding in the said work, or staying the same, as to them shall seem meet; such order so made to be binding upon all parties, until the said matter can be heard and determined in the Supreme Court of Judicature of this island, either by action of trespass, to be brought by the party so complaining, or by removal of the said proceedings, either by *Certiorari*, at the instance of the said Trustees, or any three or more of them, as the case shall happen or require.

VII. *And be it further enacted by the authority aforesaid*, That the collector or collectors, receiver or receivers, so to be appointed by the said Trustees, or any three or more of them, shall and may demand, take, and receive the said toll and duty, and have all such remedies for the same, as is herein before mentioned and expressed; and further, that the said collector and collectors, receiver and receivers, be, and they are hereby made, liable and accountable to the said Trustees, either according to such particular contracts as shall be made and shall subsist between them, or in general for all such sums as they shall respectively receive, over and above such hire, wages, or salary as is herein before mentioned and provided for.

VIII. *And be it further enacted by the authority aforesaid*, That if it shall happen that any dispute shall arise between the said Trustees and the said collectors and receivers, or any of them, or any of their deputies, servants, or substitutes, concerning the sums received or to be accounted for, or otherwise, or for or concerning any other thing whatsoever, that the same shall be decided and determined in such sort, manner, and form, and such order therein made, so to be obeyed and complied with, until the same shall be brought to a final determination in the Supreme Court of Judicature of this island, either on removal of such proceedings by *Certiorari*, or other proper action to be brought by the party aggrieved, in such manner and form as is herein before mentioned and provided.

IX. *And whereas* there are many owners and possessors of land joining to or upon the said road, or near to the ends or limits of the same, who

1789.

Complaints  
of trespasses,  
&c. how to  
be proceeded  
upon and de-  
cided.

Collectors of  
tolls invested  
with powers  
for collecting  
the same, and  
made account-  
able to the  
Trustees.

How disputes  
between  
them are to  
be determi-  
ned.

1789. who may be put to great expences, were they subjected to pay the full toll or rates, not only on the necessary occasions of sending their cattle of different kinds to water or work, but also for the carriage of provisions from their grounds, or timber for the building or repairs for their works: *Be it further enacted by the authority aforesaid*, That the Trustees afore-mentioned, or any three or more of them, be empowered to agree with the said owners or possessors of land adjoining to or upon the said road, or with the attornies or overseers of such owners or possessors of the said lands, upon such terms as to them may appear reasonable, for yearly or half-yearly sums to be paid to the collector or collectors aforesaid, towards keeping the said road in repair, instead of the tolls or rates before specified and expressed.

Trustees empowered in certain cases to compound the tolls.

Application of the residue of the tolls.

X. *And be it further enacted by the authority aforesaid*, That one fourth part of the money to be received at the toll gate or gates to be erected on Glasgow plantation aforesaid, shall be laid out and expended in repairing the road and bridges in the parish of Hanover, leading from Glasgow to Oliver's wharf, at Green-Island; that one half of such money remaining shall be laid out and expended in repairing the road and bridges in the parish of Westmoreland, leading from Savanna-la-Mar to Glasgow; and that the other remaining half of such money, to be received as aforesaid, shall be laid out and expended in repairing the roads and bridges in the parish of Hanover, leading from Glasgow plantation aforesaid to Lucea.

Trustees authorised to purchase land for erecting toll-houses, and to keep the same in repair.

XI. *And be it further enacted by the authority aforesaid*, That it shall and may be lawful for the Commissioners of the said road, or any three or more of them, out of the monies to arise out of the tolls, to purchase any parcel or parcels of land contiguous to the said road, as may by them be deemed necessary for the purpose of erecting a toll-house or toll-houses thereon, and to erect, and when erected to keep in repair, all and every of such toll-houses as the said Commissioners, or any three or more of them, shall think expedient and proper.

Property of turnpikes, toll-houses, &c. vested in the Commissioners.

XII. *And be it further enacted by the authority aforesaid*, That the property of all turnpikes, fences, and toll-houses, erected or to be erected by virtue of this act, and of the materials for building the same, and all materials actually got for repairing the said road, shall be and are hereby vested in the said Commissioners, and the survivors; and that they, or any three or more of them, are hereby empowered to commence or prosecute any action or actions, in the name or names of any one or more of them, or to prefer any indictment or indictments, against any person or persons who shall disturb them in the possession thereof.

XIII. *And be it further enacted by the authority aforesaid*, That it shall



shall and may be lawful for the said Commissioners and their successors, or any three or more of them, to borrow and take up at interest, on the credit of the tolls to be collected by virtue of this act, any sum or sums of money as they the said Commissioners shall think proper, not exceeding the sum of five hundred pounds, to be applied by the said Commissioners towards making, altering, repairing, and keeping in repair, the said road; and that it shall and may be lawful for the said Commissioners, or any three or more of them, from time to time, by writing or writings under their hands and seals, to mortgage and assign over the said tolls, or any part or parts thereof, the costs and charges of mortgaging and assigning the same to be paid out of such tolls, to any person or persons, for any term of years during the continuance of this act, as a security for any sum of money which shall be borrowed, with interest for the same.

1789.

Trustees empowered to borrow money, on the credit of the tolls, for the use of said roads.

XIV. *And be it further enacted by the authority aforesaid, That* this act, and every part thereof, shall be and remain in full force, for and during the term of three years, from the passing thereof.

Continuance of this act.

XV. *And be it further enacted by the authority aforesaid, That* this act shall be deemed and taken to be a public act, and shall be judicially taken notice of as such, by all Judges, Justices, and others, without specially pleading the same.

A public act.

*An Act to secure to his Majesty's Troops, that now are or hereafter may be quartered in this Island, for the Protection thereof, to the Number for which the Faith of the Country stands pledged, the Subsistence they now receive, on certain Conditions.*

Passed 19th of December.

**W**HEREAS his Majesty's Troops quartered in this island, for the protection thereof, receive the following subsistence: Seven pounds of good salt mels beef, or, in lieu thereof, five pounds of good salt mels pork; seven pounds of good flour; and one pint and three quarters of a pint of proof rum; not less than one year old; for every non-commissioned officer, drummer, and private soldier: the like rations, excepting rum, for all widows of such non-commissioned officer, drummer, and private soldier: two third parts of the like rations, excepting rum, for each wife of such non-commissioned officer, drummer, and private soldier: and one half of the like rations, except rum, for each child of such non-commissioned officer, drummer, and private soldier: issued and delivered the

ACT 56.

Rations of the King's Troops.

1789. the first day of every week, at the several quarters of the said troops: and, in two days of each week, one pound of good fresh beef for each day, in lieu of a ration of salt provisions for such day: *And whereas*, towards the payment of these rations, certain sums are drawn quarterly from the money now in the hands of the Agent-General, the property of Government, at the following rates; *viz.* Two shillings and three pence for the rations delivered to the non-commissioned officers, drummers, and privates; one shilling and four pence halfpenny for the widows, eighteen pence for the wives, and eight pence farthing for the children, of all such non-commissioned officers, drummers, and privates: *And whereas* there was left in the hands of the Agent-General, on the twenty-eighth day of August last, the sum of twenty-four thousand one hundred and forty-seven pounds eighteen shillings and five pence, bearing an interest of six pounds *per centum*, and the sum of nine thousand nine hundred and thirty-seven pounds seventeen shillings and three pence, not bearing interest, the property of Government: May it therefore please your most excellent Majesty *that it may be enacted; And it is hereby enacted* by the Lieutenant-Governor, Council, and Assembly of this island, That, from and after the expiration of the present contract, bearing date the nineteenth day of July, one thousand seven hundred and eighty-eight, between the Lieutenant-Governor, on behalf of his Majesty, of the one part, and Messieurs Donaldsons and Thomson, of the other part, for the subsistence of his Majesty's Troops, the above rations shall be supplied the first day of every week, to and for subsistence of the Troops now or hereafter to be quartered in this island, to the number for which the faith of the country stands pledged, by some person or persons to be appointed for that purpose by the Commissioners for settling the Public Accounts, and which said person or persons shall be entitled to receive the amount of such rations from the Receiver-General for the time being, out of any money to arise from any money-bills passed or to be passed this session, or to be passed in any future session of the present or any future Assembly: *Provided*, that, at the expiration of the present contract, the Agent-General shall deliver over to the Commissioners of Accounts all such certificates as shall then remain in his hands, the property of Government, to be cancelled.

Rates of such rations.

After the expiration of the present contract, the same rations to be supplied by a person to be appointed by the Commissioners of Accounts.



*An Act for establishing, disciplining, and regulating the Militia; for ascertaining who shall compose future Councils of War; and for other Purposes respecting the said Militia.* 1789.

WHEREAS the act entitled, "*An Act for settling the Militia*," hath been found by experience to be greatly defective, and not to answer the purposes intended; and, since nothing can contribute so much to his Majesty's service, and to the preservation of the lives and fortunes of the inhabitants of this island, as a constant and regular discipline in the Militia: May it therefore please your Majesty *that it may be enacted; Be it therefore enacted* by the Lieutenant-Governor, Council, and Assembly of this your Majesty's island of Jamaica, *and it is hereby enacted and ordained by the authority of the same*, That all and every person and persons whatsoever in this island, from the age of sixteen to sixty years, excepting the Members of his Majesty's Council, the Speaker of the Assembly, and the Chief Justice of this island, for the time being, and those who have borne commissions, and who have not been degraded by sentence of a court-martial, shall (unless prevented by sickness, or some inevitable necessity) within four weeks, enlist under the captain of the foot or horse in the district in which he or they shall respectively reside, on pain of forfeiting the sum of Forty Shillings, to be levied by warrant under the hand and seal of the colonel or commanding officer of the regiment of foot in such district: And, if the person against whom such warrant shall be issued shall refuse to pay the forfeiture incurred, he shall, by the said warrant, be committed to the common gaol of the said parish or precinct where he resides; and in case there shall be no gaol in such parish or precinct, then to the county gaol, for the space of forty-eight hours, without bail or mainprize, unless he shall sooner pay the said fine; and after payment of such forfeiture, or expiration of such imprisonment, such person shall remain liable again to be proceeded against in all respects as before, to compel him to enlist; and so *toties quoties* until he does enlist.

Who are to serve in the Militia.

Forfeiture.

II. *And*, to the end that the colonel or commanding officer of the foot Militia in each parish may the better know who is, or who is not, enlisted in their respective regiments; *Be it further enacted by the authority aforesaid*, That the Clerk of the Vestry in every parish within this island do and shall, within fourteen days after each quarter-day, send to such colonel or commanding officer, respectively, a list of the names of the several persons given in to save deficiencies, upon pain of forfeiting the sum of Forty Shillings, to be recovered

Clerks of Vestry to send a list to the commanding officers, of the persons given in to

1789. and levied by warrant under the hand and seal of any Magistrate or Justice of the Peace in the district where the omission or neglect of making such returns shall have happened; and which warrants all Magistrates and Justices of the Peace are hereby empowered and directed to issue.

save delinquency, under the penalty of 40s.

Commissions appointing gunners, &c. to nominal forts, declared void;

and the persons holding such commissions obliged to enlist.

III. *And*, that none, under pretence of nominal or honorary commissions, may endeavour to screen themselves from the duty they owe their country, or think themselves exempted from the penalties of this act; *Be it further enacted by the authority aforesaid*, That all commissions hereafter to be granted, appointing persons to the command of, and as gunners and other officers to nominal forts in this island, where there shall be no fortifications and guns, shall be deemed, and are hereby declared to be, null and void; and all commissions and warrants, appointing to any actual fortification persons not resident in the parish where the same is situate, and all warrants, now or hereafter granted to persons then resident in such parish, but who shall at any time afterwards remove to another, be, and the same are hereby declared void to all intents and purposes; and the several persons, whose commissions or warrants are hereby respectively annulled, shall be obliged to enlist themselves, in the same manner, and under the like penalties, as if such commissions had never been granted.

Who entitled to the commissions of aids de camp, or staff-officers.

IV. *And be it further enacted by the authority aforesaid*, That, from and after the passing of this act, no commission shall be granted, as aids du camp or staff-officers, to any person or persons whatsoever, but to such as already hold commissions in the Militia of this island, in rank not inferior to a captain.

Foot soldiers to appear, properly accoutred, on field-days, &c.

Penalty.

V. *And be it further enacted by the authority aforesaid*, That every foot soldier be provided with a well-fixed musket and bayonet, and suitable accoutrements; and shall, unless otherwise ordered, appear so accoutred on every muster and field-day appointed by the colonel or commanding officer of the regiment, under the penalty of Twenty Shillings, to be imposed and levied by warrant under the hand and seal of the officer commanding at such muster or field-day.

Uniforms.

VI. *And be it further enacted by the authority aforesaid*, That, within three months after the passing of this act, every private of foot shall appear, at such muster and field-days respectively, in a scarlet short coat, turned up with cuffs and collar of the colour of the regimental or battalion uniform, under the penalty of Three Pounds, to be levied by warrant under the hand of the colonel or commanding officer of the regiment or battalion.

VII. *And whereas*, to render the regiments and troops of horse more serviceable, it is highly expedient and necessary that they should



should be thoroughly instructed in the foot exercise; *Be it therefore* 1789.  
*enacted by the authority aforesaid*, That every private be provided  
 with boots and spurs, be dressed in the uniform of the troop to which  
 he belongs, have a horse his own property, of the value of thirty  
 pounds, with a good bridle, saddle, holsters, crupper, and breast-plate;  
 a good carbine and bucket, a cartouch-box, a pair of good horseman's  
 pistols, a broad sword, and cross-belts and swivel; and shall, unless  
 otherwise ordered, appear so accoutred on every muster and field-day  
 appointed by the colonel or commanding officer of the regiment or  
 troop, under the penalty of Forty Shillings, to be imposed and le-  
 vied by warrant under the hand and seal of the colonel or command-  
 ing officer of the regiment or troop, in manner herein after mentioned.

Troopers  
how to be ac-  
counted, &c.

VIII. *And be it further enacted by the authority aforesaid*, That  
 all and every the corps and companies of artillery now formed, or  
 hereafter to be formed, shall in future be attached to, and do duty  
 with, the regiment or battalion of the parish or precinct to which  
 they belong.

Corps of ar-  
tillery to do  
duty with the  
regiment or  
battalion to  
which they  
belong.

IX. *And be it further enacted by the authority aforesaid*, That all  
 officers, gunners, and quarter-gunners, already appointed or to be  
 appointed hereafter, to any forts in this island (Fort-Charles, Fort-  
 Augusta, Apostles Battery, Rock-Fort, Fort-George, and Fort-  
 Charlotte excepted) shall be and appear completely armed and accou-  
 tred, at every muster or field-day of the battalion of foot Militia of  
 the district, whenever thereunto required by the commanding officer  
 of such battalion, and there be drilled and disciplined, the officers  
 acting *en seconde* in their respective ranks, and the quarter-gunners  
 as private men, under a penalty for every neglect of duty of Five  
 Pounds for every officer, and Forty Shillings for every gunner and  
 quarter-gunner, to be levied by warrant under the hand and seal of  
 the commanding officer of the battalion, directed to the regimental  
 marshal.

Officers, gun-  
ners, &c. of  
certain forts,  
to do duty  
with the bat-  
talion of foot  
Militia.

X. *And be it further enacted by the authority aforesaid*, That no  
 private shall remove from the horse to the foot, without leave of the  
 commanding officer of the troop to which he belongs, or making  
 oath of his inability to sustain the expence; but it shall be lawful  
 for any private man to go from the foot to the horse, whenever he  
 shall have equipped himself as a trooper in the manner herein before  
 directed, and shall, at the time of his applying for his discharge,  
 make oath before the captain or commanding officer of the company  
 to which he belongs, that the horse, arms and accoutrements are  
 his own property; and the captain or commanding officer shall  
 thereupon give him a discharge: *Provided nevertheless*, That such  
 private, whether of horse or foot, shall be amenable to a regimental

Privates not  
to remove  
from the horse  
to the foot  
without  
leave, but  
they may  
from the foot  
to the horse,  
equipping  
themselves  
properly, &c.

1789. court-martial for any offence committed by him previous to his discharge.

Commissions  
in the Militia  
not to be  
granted to any  
but freehold-  
ers, &c.

Exception.

XI. *And be it further enacted by the authority aforesaid,* That the present Governor, or any future Governor or Commander in Chief of this island, shall not, after the passing of this act, grant any commission in the horse or foot Militia to any person or persons who is or are not freeholders in this island, except in the towns of Saint Jago de la Vega, Port-Royal, Kingston, Savanna-la-Mar, and Montego-Bay.

Commanding  
officers to  
form the flank  
companies of  
such men as  
they think  
proper.

XII. *And whereas* it will greatly tend to the advancement and good of the service, that the colonel or commanding officer of a regiment or battalion should have it in his power to form the flank companies at his discretion; *Be it therefore enacted by the authority aforesaid,* That the colonel or commanding officer of every regiment or battalion have it in his power, and he and they is and are hereby accordingly empowered, to form the flank companies, by selecting from their respective regiments or battalions such men as to such colonel or commanding officer shall seem most fit and proper for that purpose, and also to form the other companies, in such manner as to such colonel or commanding officer shall seem best for the good of the service.

No officer to  
resign his  
commission  
without leave,  
or sufficient  
cause.

XIII. *And whereas* it is both expedient and just, that the care of the public defence should extend equally to all; and since it is as fruitless to hope as unreasonable to expect, that men of small fortunes will cheerfully do their duty, when those who are in higher stations, and are more deeply interested, refuse and neglect it; *Be it therefore enacted by the authority aforesaid,* That no officer of horse or foot shall throw up or resign his commission, unless by the order or permission of the Commander in Chief, or upon sufficient cause shewn before a general court-martial; but, if the cause so submitted shall be adjudged to be insufficient, he shall be obliged to do duty under the commission he held; and, in case of refusal, be degraded and sentenced to serve as a private in the regiment or troop of the parish where he resides.

Officers of  
brevet rank  
not to take  
commissions  
inferior to  
their former  
regimental  
rank.

XIV. *And be it further enacted by the authority aforesaid,* That, from and after the passing of this act, all officers hereafter appointed to brevet rank, shall take such commissions as shall be tendered them, not inferior to their former regimental rank, or otherwise act and do duty under their former commission: *Provided always,* That nothing herein contained shall be construed to impeach or affect any brevet rank heretofore or in future to be granted in any duties of the line, or with mixed corps, but that in such cases all officers shall act and be obeyed according to such brevet rank, and not otherwise.

XV. *And*



XV. *And be it further enacted by the authority aforesaid,* That all reformed officers shall, within three months after the passing of this act, transmit to the Commander in Chief for the time being their respective names, ranks, and places of abode, with the dates of their several commissions; and shall, each and every of them, be hereafter obliged to accept and act under such commissions as shall be tendered to them in the regiment or battalion of the parish in which they reside, not inferior to the one they formerly held, on pain of being degraded, and obliged to enlist as a private.

1739.

Reformed officers to transmit to the Commander in Chief their names, &c.

XVI. *And be it further enacted by the authority aforesaid,* That when and as often as the Commander in Chief shall think proper to grant such commissions to reformed officers, as the latter are compellable by this act to accept, it shall not be in the power of any officers of the regiment, on that pretence, to throw up or resign their commissions, but that they and each of them shall do duty under the commission they then bore, in the same manner as if no such appointment had been made, on pain of being degraded, and compelled to enlist and serve as a private.

Upon commissions being granted to reformed officers, no other officer of the regiment, on that pretence, to throw up his commission.

XVII. *And whereas* nothing can so much conduce to the attainment of those salutary ends for which a Militia is established, as that the exactest discipline and knowledge of the use of arms should subsist among them; *Be it enacted by the authority aforesaid,* That the colonel or commanding officer in every parish or precinct within this island, of horse and foot, shall appoint places for the exercising one or more troops or companies of their respective regiments or battalions, in a manner the least inconvenient, and shall order such troops or companies then to be exercised by the captains or commanding officers in the several parishes in this island once in every three months, under the penalty of Fifty Pounds, upon proof made before a general court-martial, to be levied by warrant from the Commander in Chief for the time being.

Commanding officers to appoint a place for exercising.

Three months exercises enjoined under a penalty.

XVIII. *And be it further enacted by the authority aforesaid,* That the captains or commanding officers of horse or foot respectively shall, within three days after the time appointed for such exercise as aforesaid, make a field-return of their companies or troops to the colonel or commanding officer of their respective regiments or battalions, specifying the number of officers and privates who shall have appeared, the names of the absentees, and the defaulters in arms and accoutrements, under the penalty of Ten Pounds, to be levied by warrant under the hand and seal of such colonel or commanding officer respectively; and that the colonel or commanding officer of the regiment shall make a return of the whole once in every year, or within ten days after the general muster, under the penalty of One

Captains, &c. to make a field-return to the colonel, who is to transmit the same to the Commander in Chief.

Commanding officers to order a general muster every

Hundred

1789. Hundred Pounds, to be levied by warrant under the hand and seal of the Commander in Chief for the time being, and directed to the Provost-Marshal-General of this island, and applied as is herein after mentioned.

*XIX. And be it further enacted by the authority aforesaid, That* the colonel or commanding officer in the district, whether of horse or foot, in this island, shall order a general muster of the troops or companies respectively, in the most convenient and central place in the several parishes in this island, once every year, out of crop-time, under the penalty of One Hundred Pounds, to be levied by warrant under the hand and seal of the Governor or Commander in Chief for the time being, and to be applied in the manner herein after mentioned: *Provided nevertheless*, That nothing in this act is meant or intended to prevent the Commander in Chief to order musters or field-days oftener than is hereby directed, whenever the same shall appear to him to be absolutely necessary.

*XX. And be it further enacted by the authority aforesaid, That* it shall and may be lawful for the commanding officer of every regiment or troop of horse, regiment or battalion of foot Militia, in this island, to fix upon such place or places in their respective districts or parishes, for such general musters as he or they shall judge most proper, convenient, and fitting for that purpose; and that no colonel or commanding officer, fixing upon any such place or places, shall, by reason or on account thereof, or of mustering, disciplining, or exercising his or their regiment, troop, or battalion thereon, be liable to any indictment, action of trespass, action of damages, or other prosecution or suit whatever, provided such place of exercise shall not be in any cultivated or enclosed grounds.

*XXI. And be it enacted by the authority aforesaid, That* the Provost-Marshal-General of this island, or any of his deputies, shall not, on any pretence whatever, presume to take, arrest, detain, or molest, for or on account of any mesne or judicial process whatever, any commissioned, non-commissioned officer, or private, or execute any levy or extent on any of the property, real or personal, of any commissioned, non-commissioned officer or private, on the day they shall respectively appear at any such exercise, general muster, general or regimental courts-martial, or any other military duty; or, if such commissioned, non-commissioned officer, or private, shall reside elsewhere than in any of the towns of this island, for the space of forty-eight hours thereafter, under the penalty of One Hundred Pounds for each offence, and being further liable to make reparation in damages to the party aggrieved: and that every execution had or executed contrary to the spirit and meaning of this provision, be, and

And are to fix upon such places for that purpose as they shall judge to be most proper.

Not to be liable to any action for the same, if such grounds be not enclosed or cultivated.

Officers and privates protected in their persons and property when on duty.



and the same is hereby, annulled and rendered void to every intent and purpose. 1789.

XXII. *And be it further enacted by the authority aforesaid, That* every private either of horse or foot, who shall absent himself from duty on the day and at the place appointed, as is herein before mentioned, for exercising by troops or companies, or for a general muster of the regiment or battalion to which they may respectively belong, without some good and sufficient excuse, to be approved of by the commanding officer in the field, shall forfeit for the first offence Twenty Shillings; for the second, if committed in immediate succession, Forty Shillings; for the third, Five Pounds; and every subsequent default, Ten Pounds; to be levied on the offender's goods and chattels, by warrant under the hand and seal of such commanding officer as aforesaid, directed to the Marshal of the regiment, who is hereby directed and required to execute the same: and for default of goods and chattels, on which a levy can be made, the offender shall stand committed (by virtue of the warrant aforesaid, directed as aforesaid) to the common gaol or prison of the district in which he shall reside, there to remain without bail or mainprize, for any time not exceeding twenty-four hours for the first offence, forty-eight hours for the second, three days for the third, and six days for every subsequent offence.

Privates absenting themselves from duty, how punishable.

XXIII. *And whereas* it is more immediately incumbent on the officers to discharge this part of their duty, and, by the promptitude of their obedience, to set a good example to the privates; *Be it further enacted by the authority aforesaid, That* every officer who shall absent himself from duty, on the day and place appointed for exercise or a general muster, as aforesaid, without some good and sufficient excuse, to be approved of by the commanding officer in the field, shall forfeit for the first default as follows: a captain, Five Pounds; a lieutenant, cornet, ensign, or quartermaster, Three Pounds; a sergeant or corporal, Thirty Shillings; to be levied by warrant as aforesaid, under the hand and seal of their respective colonels or commanding officers of horse or foot: and, when a general muster shall be ordered, the field officers shall forfeit as follows: a colonel, Twenty Pounds; a lieutenant-colonel, Fifteen Pounds; a major, Ten Pounds; to be levied by warrant as aforesaid, under the hand and seal of the Governor or Commander in Chief for the time being; and in case of any subsequent and wilful default on either of the occasions herein before mentioned, the said officers shall respectively receive and suffer such censure or fine as a court-martial shall think proper to inflict.

Officers absenting themselves from duty, how punishable.

XXIV. *And be it further enacted by the authority aforesaid, That* every

1789. every private of horse or foot, so appearing on duty, whose arms and accoutrements shall not be found in good order and condition for service, shall forfeit the sum of Twenty Shillings; or, in case of disability to pay the same, shall be committed to the common gaol for any time not exceeding twenty-four hours, or until he shall pay the same; and that every private trooper or foot soldier who shall refuse to obey his officer's lawful commands, or shall treat him, when in the field, with rude, affronting, or contemptuous language, shall, for every such offence, if found guilty by a court-martial, in manner herein after mentioned, be fined a sum not exceeding Five Pounds; or, in case of refusal, or disability to pay the same, shall be committed to the common gaol for any time not exceeding five days, or until he pay the same.

Privates not keeping their arms, &c. in proper order, how to be punished.

Manner of levying fines, and of conducting trials for offences against this act.

XXV. *And whereas* the best regulations become ineffectual, unless the observance of them be properly enforced; *Be it further enacted by the authority aforesaid*, That for the purpose of levying the fines, which by the provisions of this act are in such manner directed to be levied, and for the trial of all offences committed against this act, or against any rules and articles of war that now are, or hereafter may be established, it shall and may be lawful for the Governor, Lieutenant-Governor, or Commander in Chief for the time being, to grant commissions to the colonels or commanding officers of the regiments of horse, regiments or battalions of foot in this island respectively, empowering them to hold, direct, or summon general or regimental courts-martial, when and as often as the exigencies of their several regiments or battalions shall require.

Who are to compose general and regimental courts-martial.

XXVI. *And be it further enacted by the authority aforesaid*, That all general courts-martial, held, directed, or summoned, under such commission as aforesaid, shall consist at least of one field officer, and six other commissioned officers, of which none shall be under the rank of a captain; and all regimental courts-martial shall consist at the least of three commissioned officers: The members composing both or either of the said courts to be summoned by warrant or order under the hands of the colonels or commanding officers directing such court-martial, three days inclusive previous to the time when the same is appointed to be holden.

Penalty on officers neglecting to attend courts-martial.

XXVII. *And be it further enacted by the authority aforesaid*, That every officer so summoned as aforesaid, who shall neglect, refuse, or omit to attend such general or regimental courts-martial, unless prevented by some inevitable accident, or sickness certified on oath by the practitioner in physic or surgery attending him, shall, for every such neglect, refusal, or omission, forfeit the sum of Ten Pounds, to be levied by warrant under the hand and seal of the colonel or commanding officer.

XXVIII. *And*



XXVIII. *And be it further enacted by the authority aforesaid, That* 1789.  
 the person to be tried by a general court-martial shall have five days  
 notice in writing, and by a regimental court-martial, two days, of  
 the time and place where it is appointed to be holden, and of the  
 charge to be preferred against him; and if the person so served shall  
 not appear, or send satisfactory reasons for his absence; or, if evi-  
 dence be given of his keeping out of the way, to avoid the service  
 of such notice, he shall stand convicted of the offence in such notice  
 contained, and incur such punishment as the court would have ad-  
 judged, had his guilt been established at a trial.

Persons to be  
 tried by a ge-  
 neral court-  
 martial to  
 have five days  
 notice; and  
 by a regimen-  
 tal, two days.  
 Persons hav-  
 ing such no-  
 tice and not  
 attending,  
 how to be  
 punished.

XXIX. *And be it further enacted by the authority aforesaid, That*  
 all courts-martial, before any proceedings had against the offender,  
 the members thereof shall take the following oath upon the Holy  
 Evangelists, before the Judge-Advocate or his deputy, or by the  
 clerk appointed by the President of the court, who are hereby re-  
 spectively empowered to administer the same: That is to say,

Members of  
 all courts-  
 martial to  
 take an oath.

" **Y**OU shall well and truly try and determine, without partiality,  
 " favour, or affection, according to evidence in the matter now  
 " before you, between our Sovereign Lord the King and the offender to  
 " be tried; and you shall not, upon any account, at any time whatsoever,  
 " disclose or discover the vote or opinion of any particular member of the  
 " court-martial, unless required to give evidence thereof as a witness  
 " by a court of justice, in a due course of law.

The oath.

" **SO HELP YOU GOD.**"

XXX. *And be it further enacted by the authority aforesaid, That*  
 all courts-martial constituted by this act, shall have full power and  
 authority to administer an oath to any witness or witnesses produced  
 at the trial of any offences before them; and that the person taking a  
 false oath, or procuring or suborning any other so to do, shall be lia-  
 ble to a prosecution at law; and, if convicted, shall suffer the like  
 pains and penalties as, by the laws and statutes of Great-Britain and  
 this island, are provided against and inflicted on persons guilty of per-  
 jury, or subornation of perjury.

Persons giv-  
 ing evidence  
 at courts-  
 martial to be  
 sworn.  
 Persons tak-  
 ing a false  
 oath, how  
 punishable.

XXXI. *And be it further enacted by the authority aforesaid, That*  
 no judgment shall be given in any court-martial against an offender,  
 but what shall have the concurrence of the majority of the members  
 present; and that the judgment of a regimental court-martial, when  
 pronounced and declared by the President, shall not be subject to any  
 revision, or require any confirmation of the Commander in Chief,  
 or other; but that in case of disobedience thereto, the President is  
 hereby required and empowered, by warrant under his hand and seal,  
 directed to the Marshal of the regiment, to commit the offender to the

No judgment  
 to be given  
 without the  
 concurrence  
 of the major-  
 ity.  
 Judgment of  
 regimental  
 courts-mar-  
 tial to be con-  
 clusive.

M m

common

1789. common gaol of the district, there to remain without bail or mainprize, for any time not exceeding six days, or until he conform himself to the sentence.

Disobedience  
thereto, how  
punishable.

Judgments of  
general  
courts-mar-  
tial to be con-  
clusive.

Disobedience  
thereto, how  
punishable.

XXXII. *And be it further enacted by the authority aforesaid,* That the judgment of a general court-martial, when pronounced and declared by the President, shall not (provided it does not extend to degradation) be subject to any revision, or require any confirmation of the Commander in Chief, or other; but that, in case of disobedience thereto, the President is hereby empowered and required, by warrant under his hand and seal, directed to the Marshal of the regiment, to commit the offender to the common gaol of the district, there to remain without bail or mainprize, for any time not exceeding six days, or until he conform himself to the sentence.

Commanding  
officer of each  
battalion to  
appoint a  
Marshal.

XXXIII. *And be it enacted by the authority aforesaid,* That the more effectually to enforce this act, the colonel or commanding officer of each battalion is hereby empowered to appoint a Marshal or Marshals for the same, by warrant under his hand and seal; which Marshal so appointed shall not refuse to act in conformity to this law, under a penalty to be imposed by a regimental court-martial, not exceeding Ten Pounds.

Officers re-  
moving from  
one parish to  
another, how  
to proceed.

XXXIV. *And be it further enacted by the authority aforesaid,* That when any officer of the Militia shall remove from one parish to another, he shall notify the same to his colonel or commanding officer, who shall thereupon grant him permission so to do, in writing, directed to the colonel or commanding officer of the parish or precinct to which such officer removes, and shall forthwith inform the Governor or Commander in Chief for the time being thereof; and from thenceforth the post or station of such officer shall be deemed vacant, and the same may and shall forthwith be filled up by a new commission; and such officer removing, shall forthwith be enrolled in the regiment or battalion of the parish or precinct to which he shall so remove, notwithstanding there shall be no vacancy in the company, troop, regiment or battalion, and shall from thenceforth, without taking out any new or other commission, act and do duty *en seconde* to the officer or officers of his rank in that parish or precinct to which he shall so remove, until a vacancy in his rank shall happen, upon pain of being degraded by the sentence of a general court-martial; and all other inferior officers and soldiers are hereby enjoined to obey him as their officer.

Who shall  
compose  
Councils of  
War.

XXXV. *And whereas* it is proper and necessary that it should be ascertained who shall compose future Councils of War: *Be it therefore enacted by the authority aforesaid,* That, for the future, all Councils of War shall consist of the Governor or Commander in Chief for the time being, the several Members of the Privy Council of this island



island for the time being, the Speaker and the Members of the Assembly for the time being, general officers of the Militia, field officers actually commanding regiments or battalions, and the field officers of such respective regiments or battalions of the Militia in actual commission for the time being; and no other person whatever shall have a right to sit, debate, and vote thereat: and that twenty-one of the above-mentioned persons be a *quorum* of the said Council of War.

XXXVI. *And be it further enacted by the authority aforesaid,* That in case it shall at any time happen that the Assembly of this island shall be dissolved, or otherwise at an end, and it shall be necessary, before any new Assembly shall meet, to summon a Council of War, the Members of the then late Assembly shall have a right to sit as Members of such Council of War, and debate and vote thereat in the same manner as before the dissolution or termination of such Assembly.

1789.

In case the Assembly shall be dissolved, &c. the late Members to act in a Council of War.

XXXVII. *And whereas* the appearance of public danger, by invasion or otherwise, may sometimes make the imposition of martial law necessary; yet as, from experience of the mischiefs and calamities attending it, it must ever be considered as amongst the greatest of evils: *Be it therefore enacted and ordained by the authority aforesaid,* That it shall not in future be declared or imposed, but by the opinion and advice of a Council of War, consisting as aforesaid; and that, at the end of thirty days from the time of such martial law being declared, it shall be *ipso facto* determined, unless continued by the advice of a Council of War, consisting as aforesaid.

Martial law not to be imposed but by advice of a Council of War.

XXXVIII. *And be it further enacted by the authority aforesaid,* That whenever there shall be occasion, during martial law, to remove the Militia, or any detachment of them, to head-quarters, or from one place to another, the Governor or Commander in Chief for the time being, shall give such orders for regulating their march as he shall think proper; and the colonels or commanding officers of such regiments, battalions, troops, companies, or detachments which shall be so ordered to march, shall, as they are hereby empowered and required to do, procure refreshments for their parties, so that such refreshments do not exceed the sum of five shillings for each man for twenty-four hours; and impress, or cause to be impressed, such a number of wains, carts, cattle, and mules, for carrying of baggage, as shall be necessary on such march; giving proper certificates to the persons supplying such refreshments, as also to the owners of such wains, carts, cattle, and mules as shall be impressed.

Commander in Chief empowered to remove the Militia as he shall think proper.

Colonels, &c. empowered to procure refreshments, and impress wains, &c. giving certificates to the owners.

XXXIX. *And be it further enacted by the authority aforesaid,* That no colonels or other officers commanding any such regiments, troops, battalions, or detachments, and who shall impress, or cause to be

and not liable to prosecutions for the same.

1789. impressed, any wains, carts, cattle, or mules, for the purpose aforesaid, shall be liable to any prosecution, action, or suit whatever, for or on account of the same.

**Duty of the horse to carry expresses.**  
**Exception.**  
**Penalty on persons sending by a trooper any dispatches of a private nature.**  
**The Public Messenger not to charge troopers with his office messages.**

**XL. And be it further enacted by the authority aforesaid,** That it shall for the future be the duty of all horse, in times of martial law, to carry expresses, as heretofore they were used to do, under the like pains and penalties in every respect as persons refusing to enlist are herein before subjected to, except dispatches to Port-Royal, which are hereby directed and required to be left with the main guard at Kingston, Passage-Fort, or Port-Henderson, who shall forward such dispatches into Port-Royal; and that no trooper shall hereafter be posted at any station out of his own parish, for the purpose of carrying dispatches; and that it shall not be lawful to send by a trooper any field-returns, muster-rolls, or any dispatches relative to the regiments or battalions of foot Militia, unless the same be directed to the Governor or Commander in Chief for the time being; and that every person sending a dispatch shall write his name on the outside of the dispatch paper; and, that no person whatsoever shall presume to send any dispatch by a trooper, which is of a private nature, or any otherwise than as herein before mentioned, under the penalty of One Hundred Pounds for each offence, to be levied by warrant of the colonel or commanding officer, as aforesaid; nor shall it be lawful for the Messenger of Public Dispatches to charge any trooper with any dispatch, which, by virtue of his office, and the salary thereunto annexed, he ought to forward, under the penalty of One Hundred Pounds for every such offence; to be levied by warrant under the hand and seal of the Governor or Commander in Chief for the time being.

**Commissions only to be granted to persons possessed of a real estate of 300l. per ann. value.**  
**Exception.**

**XLI. And be it further enacted by the authority aforesaid,** That no commission shall hereafter be granted, but to such persons as are possessed of a qualification amounting to three hundred pounds *per annum*, issuing out of lands, houses, or negroes, except such persons reside in any of the towns in this island.

**XLII. And be it further enacted by the authority aforesaid,** That in the absence of the colonel or commanding officer of any regiment or battalion of Militia from his district, the officer next in command of such regiment or battalion shall have the like powers, and shall exercise the same, under the like penalties as are herein before given to and imposed upon the colonels and commanding officers.

**Offenders against this act in martial law may be tried without previous notice.**  
**XLIII. And be it further enacted by the authority aforesaid,** That for all offences which shall be committed in martial law, either against this present act, or any articles of war that may be in force, the courts-martial for the trial of such offences shall consist as herein before



before mentioned; but that no previous notice of such trial or trials be necessary; but that the offender, if a private, may be immediately committed to gaol, and, if an officer, may be put under arrest. 1789.

XLIV. *And be it further enacted by the authority aforesaid, That* if any officer, who shall be summoned or ordered on any court-martial in time of martial law, shall refuse or decline giving such attendance, every such officer so refusing or declining, shall be liable to be tried by a court-martial, and to the sentence thereof. Officers summoned, and neglecting to attend courts-martial, to be tried.

XLV. *And be it further enacted by the authority aforesaid, That* if any person whatsoever shall be sued for any thing lawfully commanded or done in execution and pursuance of this act, or the before recited act, he shall plead the general issue, and give the special matter in evidence; and if a verdict be found for the defendant, or the plaintiff be nonsuited in any action or suit so to be commenced, such defendant shall not only have the common costs of suit, but also all such sums of money shall be allowed and taxed as costs of increase to such defendant by the proper officer, as such defendant shall have expended out of purse, laid out, been at, put to, or sustained, in and about the defence of such suit; any law, custom, or usage to the contrary notwithstanding. Persons sued for any thing lawfully done under this act, to plead the general issue, and be allowed common costs, and costs of increase.

XLVI. *And be it further enacted by the authority aforesaid, That* all warrants for fines imposed, or which shall be imposed by virtue of this act (save and except such warrants as are hereby directed to be issued under the hand of the Governor or Commander in Chief for the time being), shall be directed to the Marshals of the respective regiments or battalions in which such fine shall be imposed, who are hereby empowered, authorised, and directed to execute the same, and who shall be entitled to deduct from such fines at the rate of twenty-five pounds *per centum*, for his or their trouble in executing and levying the same; all which fines (except as aforesaid) shall be paid into the hands of the colonels or commanding officers of the respective regiments or battalions in which such fines shall be imposed, and by them applied, or so much thereof as shall be necessary, to the procuring of drums, fifes, colours, standards, and trumpets, for their respective regiments or battalions; and the overplus (if any) to be by them accounted for, and paid annually into the hands of the Receiver-General for the time being, towards the support of the government of this island. Marshal of the regiment to execute warrants. Application of the fines.

XLVII. *And be it further enacted by the authority aforesaid, That* all warrants for fines, imposed and to be levied by this act, which shall issue under the hand of the Governor or Commander in Chief for the time being, shall be directed to the Provost-Marshal-General of this island for the time being, who is hereby authorised, empowered, Warrants for fines, signed by the Commander in Chief, to be directed to the Provost-Marshal-General.

1789. *ered, and directed to execute the same; which fines shall be by such Provost-Marshal-General paid into the hands of the Receiver-General, towards the support of the Government of this island.*

*XLVIII. And be it further enacted by the authority aforesaid, That the adjutant of such regiment or battalion do, in a book to be kept for that purpose, enter and keep a fair and exact account of the receipt and application of all fines which shall be levied by virtue of this act, and paid into the hands of the colonel or commanding officer.*

*XLIX. And be it further enacted by the authority aforesaid, That records and minutes of the proceedings of the courts-martial, and of the receipts and application of the fines imposed by this act, shall be regularly kept by the Judge-Advocate, or his deputy, and be open to the perusal and inspection of every officer of the regiment.*

*L. And be it further enacted by the authority aforesaid, That this act, and every clause, matter, and thing therein contained, shall continue and be in force from the thirty-first day of December, in the present year of Our Lord one thousand seven hundred and eighty-nine, until the thirty-first day of December which will be in the year of Our Lord one thousand seven hundred and ninety-two, and no longer.*

Continuance of this act.  
Passed 19th of December.

*An Act for repealing so much of an Act of this Island, passed in the Year of our Lord one thousand seven hundred and eleven, entitled, "An Act for regulating Fees," as establishes the Fees of the Collector, Naval-Officer, Secretary, and Receiver-General, for entering and clearing all Vessels trading to and from this Island, and for regulating the Fees of the several Officers concerned in entering and clearing all such Vessels, and for making certain Provisions for the better Management of the Offices therein mentioned.*

ACT 58.

Preamble.

Fee law of 1711, defective and inadequate.

**W**HEREAS the Fees at present established by an act of the Legislature of this island, passed in the year of Our Lord one thousand seven hundred and eleven, entitled, "*An Act for regulating Fees*," are inadequate, and the said act is, in other respects, defective, inasmuch as no provision is therein made for certain officers of the Customs concerned in the entry and clearance of all vessels trading to and from this island, whereby great difficulties have arisen, and new and exorbitant demands have been made by some of such



such officers, to the great injury of the general interest of this island, and the oppression of its inhabitants: *And whereas* it has become necessary to increase some of the Fees in the said recited act specified, in order to make such provision for the business to be performed as shall be adequate to the trouble thereof, and tend to prevent future exactions and oppressions: *Be it therefore enacted* by the Lieutenant-Governor, Council, and Assembly of this island, *and it is hereby enacted and ordained by the authority of the same*, That such part of the said act of one thousand seven hundred and eleven, entitled, "*An Act for regulating Fees*," as establishes the Fees upon entering and clearing all vessels trading to and from this island, of the Collector, Naval-Officer, Secretary, and Receiver-General, shall be, and the same is hereby declared to be repealed and made null and void; any thing in the said act contained to the contrary in any wise notwithstanding.

II. *And be it further enacted by the authority aforesaid*, That the Fees of the several offices and officers herein after named shall, from and after the passing of this act, be as follow, except for vessels trading to and from this island, under an act of the Parliament of Great-Britain, commonly called the Free-Port Act:

#### To the COLLECTOR.

For entering or clearing each sloop or schooner trading to or from this island, having a cargo on board; registering the company of such vessel; granting permit to load or unload; and for all other services respecting such entry or clearance, not herein after mentioned, one pound ten shillings:

For every brig, snow, bark, or ship, two pounds ten shillings:

For a new register, except such original register as is required and directed to be made and taken out under and by virtue of an act of the Parliament of Great-Britain, passed in the twenty-sixth year of the reign of his present Majesty, entitled, "*An Act for the further Increase and Encouragement of Shipping and Navigation*," two pounds:

For endorsing a register, twelve shillings and six pence.

For each certificate to cancel bonds for all or such part of the cargo as may be required, twelve shillings and six pence:

For cancelling by certificate each bond granted here, five shillings:

For a bill of stores, three shillings and nine pence:

For a post-entry, seven shillings and six pence:

For long-boat papers, seven shillings and six pence:

For entering or clearing a drogger, every service included, two shillings and six pence:

For entering into the non-enumerated bond, two shillings and six pence:

For

1789. For every Isle of Man bond, two shillings and six pence.

*To the SECRETARY.*

Secretary's  
fees.

For entering each vessel; taking the bond; granting certificate to the Naval-Officer; also administering the oath respecting the carrying slaves from this island, and all other services, one pound five shillings:

For the let-pas and clearing each vessel, fifteen shillings:

For every fort-pas, two shillings and six pence:

For every drogging-pas to regular droggers only, to be taken out every six months, one pound two shillings and six pence:

For each ship's register, one pound five shillings:

For entering each protest, one pound five shillings:

For taking out each protest, twelve shillings and six pence.

*To the NAVAL-OFFICER.*

Naval-Officer's  
fees.

For entering all vessels from Great-Britain and Ireland; examining and recording certificate that bonds are given according to the act of navigation; and examining all cockets, bills of stores, and certificate of the freedom of the ship, and taking an account of the same, together with all goods that are liable to duty, and certifying the same, with the marks, numbers, and packages, to the Collector and Receiver-General; and making out quarterly lists of the same to his Majesty's Board of Trade, two pounds ten shillings:

For clearing all vessels as above, two pounds ten shillings:

For entering all vessels from North-America and the Spanish Main, in the same manner as above, one pound five shillings:

For clearing all vessels as above, one pound ten shillings:

For clearing all vessels trading round the island, two shillings and six pence:

For a plantation bond, certificate of ditto to the Collector, and cancelling the same, one pound fifteen shillings and seven pence half-penny:

For endorsing a register, six shillings and three pence:

For signing under seal of office, and recording a new register, one pound five shillings:

For a warrant of survey, return, and recording, one pound fifteen shillings and seven pence halfpenny.

*To the RECEIVER-GENERAL.*

Receiver-General's  
fees.

For entering or clearing all vessels whatever, having a cargo on board, from a foreign voyage, or going on one, every service included, thirteen shillings and four pence:

For



For each drogger entering and clearing, two shillings and six pence : 1789.  
 For every bond required by law, five shillings.

*To the LAND and TIDE SURVEYOR.*

For every vessel entering and clearing, having a cargo on board, (droggers excepted) every service included, ten shillings.

Land and  
Tide Survey-  
or's fees.

*To the Office of WAITER and SEARCHER.*

For each vessel, and in full of all services, ten shillings.

Waiter and  
Searcher's  
fees.

III. *And be it further enacted by the authority aforesaid,* That the Fees of the Comptroller shall be one third of such sum as may, by virtue of this act, be demanded and taken by the Collector; and that for all such vessels as shall enter or clear out in ballast, and with only the necessary stores and provisions on board, only one half of the Fees herein before allowed shall be paid or demanded; and as to all vessels passing from a port of entry to any port or place in this island, for the purpose of unloading or completing her discharge, and taking a cargo on board, a drogging pass shall be granted, on payment of the legal fees for droggers; and no greater or other fee shall be demanded or taken for the same.

Comptrol-  
ler's fees.

IV. *And be it further enacted by the authority aforesaid,* That printed copies of the foregoing table of rates of Fees shall be fixed and set up, within sixty days after the passing of this act, in some public part of each of the offices herein before mentioned; and each officer neglecting or delaying to set up and affix the same, shall forfeit for such offence the sum of Fifty Pounds, and thereafter the sum of Five Pounds per day, until he shall comply therewith; one half whereof shall go to the poor of the parish in which such offence shall be committed, and the other half to be paid into the hands of the Receiver-General, towards the support of the government of this island: And all and every of the said offices herein before mentioned shall be kept open, for the dispatch of business, (holidays excepted) from the hour of eight in the morning till two in the afternoon: And if any or either of the said officers herein before mentioned shall, on any pretence whatsoever, ask, demand, take, or receive, or permit to be asked, demanded, taken, or received, any greater or other Fees than are herein before mentioned, then, and in that case, he or they so offending shall forfeit for every such offence the sum of Fifty Pounds; and if any clerk or deputy to either of the said offices, attendant, or other person employed in either of the said offices, who shall contravene this act, or any of the regulations hereby established, either by demanding or receiving greater or other Fees than herein before particularly specified, or by refusing to do and perform the business of

Printed co-  
pies of the  
foregoing fees  
to be set up in  
some public  
place in each  
of the offices.

Penalty on  
neglect.

Office hours.

Officers de-  
manding or  
taking greater  
fees, to forfeit  
50/.

Any clerk or  
deputy offen-  
ding in like  
manner, to  
forfeit 50/.  
and be disa-  
bled from ac-

N n

such

1789. such office, if entrusted to them, at and according to the rates herein before established, or who shall demand or receive any new and unusual fee or gratuity, he or they so offending shall forfeit the sum of Fifty Pounds, and be from thenceforth disabled, and are hereby declared to be rendered incapable of being a clerk, deputy, agent, or to be in any manner employed in any or either of the said offices herein before mentioned, or in any other public office of this island; and if any of the officers herein before mentioned, or persons acting for them, shall employ or continue such clerk, deputy, or attendant, after such conviction, he or they so offending shall forfeit for every offence the sum of Two Hundred Pounds.

Penalty on officers employing such clerks.

Commanding officers of forts, upon ill-grounded and frivolous pretences, stopping foreign vessels, &c. to forfeit 200l.

V. *And whereas* it hath been a practice to stop and detain foreign vessels, at different forts at the entrance of the ports in this island, upon various pretences, which practice is highly injurious to the commerce thereof, by reason that such obstructions tend to discourage their resort to this island: In order to prevent such practices for the future, *Be it enacted by the authority aforesaid*, That any officer or officers, or others commanding or acting at such fort or forts, who shall, on any ill-grounded or frivolous pretence or pretences whatsoever, stop and detain any such vessel or vessels, on their arrival, from proceeding to the place of discharge, or who shall, on any such pretence, delay or prevent the departure of any such vessel or vessels, that shall be furnished with the permit of the Collector and Comptroller, such officer, or person so offending, shall forfeit, for every such offence, the sum of Two Hundred Pounds, one half thereof to his Majesty, his heirs and successors, for and towards the support of the government of this island, and the other half to him or them who shall sue for the same: *Provided always nevertheless*, That nothing herein contained shall extend, or be construed to extend, to prevent the Governor or Commander in Chief of this island for the time being from stopping, or causing to be stopped and detained, any vessel or vessels, when he shall see sufficient cause for such detention, and shall give orders in writing for that purpose.

Forfeitures, how to be recovered.

VI. *And be it further enacted by the authority aforesaid*, That the penalties and forfeitures in this act mentioned, shall be recovered in his Majesty's Supreme Court of Judicature of this island, by action of debt, bill, plaint, or information, wherein no essoin, protection, injunction, or wager of law, shall be allowed, or *Non vult ulterius prosequi* entered; any law, custom, or usage to the contrary notwithstanding.

Continuance of this act.

VII. *And be it further enacted by the authority aforesaid*, That this act shall continue and be in force, from the passing thereof, for and during the term of three years, and no longer.



*An Act to encourage the Importation of Horses from Great-Britain, by granting a Purse to be run for in each County ; and to allow a Bounty on Neat Cattle imported into this Island from England and Ireland.* 1789.

Passed 19th of December.

**W**HEREAS breeding of good, strong, and useful Horses, within **Act 59.** this island, tends not only to the great benefit and defence of the same, but will also be of great convenience and profit to the inhabitants thereof: *And whereas* the present breed may be diminished, by reason that in pastures, commons, savannas, and waste grounds, within this island, very small Horses, and of little value, are not only suffered to pasture and feed thereon, but to cover mares: For remedy whereof, and for the encrease of better, more useful, and stronger Horses in this Island, We, your Majesty's dutiful and loyal subjects, the Assembly of this your Majesty's island of Jamaica, do most humbly beseech your Majesty *that it may be enacted; Be it therefore enacted* by the Lieutenant-Governor, Council, and Assembly of the said island, *and it is hereby enacted and ordained by the authority of the same,* That, from and after the passing of this act, no person or persons, upon any pretence whatsoever, shall put to pasture, or suffer to run at large upon commons, savannas, or waste grounds, within this island, any stoned Horse or Horses, not being of the height of fourteen hands and an half, to be measured from the lowest part of the hoof of either of the fore feet to the highest part of the withers, and every hand to contain four inches of the standard, upon pain of forfeiture of the said Horse or Horses, which shall be so put to pasture, or suffered to run at large upon any commons, savannas, or waste grounds.

Preamble.

Stoned Horses under fourteen hands and a half, suffered to run at large, liable to forfeiture.

II. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful to and for any person or persons, who shall find any such stoned Horse or Horses at pasture, or running at large in or upon the said commons, savannas, or waste grounds, contrary to the true intent and meaning of this act, to seize and take the said Horse or Horses so found, and carry the same before any one of his Majesty's Justices of the Peace for the parish or precinct wherein the offence shall be committed, in order to have the said Horse or Horses measured, in the presence and view of the said Justice; and if the said Horse or Horses shall be found not of the height aforesaid, then the said Horse or Horses shall be forfeited to, and the property thereof immediately vested in, the person or persons taking up the same, on his making oath to the time and place where the said Horse

Stoned Horses under standard, taken up, adjudged the property of the seizer, &c.

1789. or Horses was or were taken up, unless the owner or proprietor of such Horse or Horses, or some person on his or her behalf, shall tender to the party seizing or taking such Horse or Horses the sum of Ten Pounds for each Horse so taken; in which case such Horse or Horses shall (being first castrated, and the owner paying the expense of such castration) be restored to the proprietor thereof, or to any person on his, her, or their behalf; any law, custom, or usage to the contrary notwithstanding.

III. *And be it further enacted by the authority aforesaid,* That no person or persons shall, after the passing of this act, put to pasture, or suffer to run at large, any Horse, Mare, or Gelding, or any Mule or Ass, infected with scab, mange, or farcy, in or upon the said commons, savannas, or waste grounds, upon pain of forfeiting, for every such offence, the sum of Fifty Pounds, to be recovered in the Supreme Court of Judicature, or Courts of Assize, by action of debt, bill, plaint, or information.

IV. *And be it further enacted by the authority aforesaid,* That any person or persons who shall, after the passing of this act, knowingly put in, or turn into or upon, any of the said commons, savannas, or waste grounds, any Horse, Mare, or Gelding, or any Mule or Ass, having the glanders, shall, for every offence, forfeit the sum of Two Hundred Pounds; the said forfeiture to be recovered as aforesaid.

V. *And be it further enacted by the authority aforesaid,* That the person who gives the information shall carry the Horse, Mare, Gelding, Mule, or Ass, so infected, before a Magistrate, who shall, on due proof thereof, order the beast to be destroyed.

VI. *And be it further enacted by the authority aforesaid,* That the Receiver-General for the time being shall, and he is hereby required and directed to furnish and provide (out of any monies in his hands unappropriated) a purse of One Hundred Pistoles once every year; and that the same shall be run for on the first Thursday in December in each year, on the Course near Spanish-Town, the best of three four-mile heats (under such rules and regulations as are usual at races for his Majesty's given purses in Great-Britain) by any stoned Horse or Horses, Mare or Mares, imported into this island, carrying ten stone each, fourteen pounds to the stone, and to measure not less than fifteen hands high, usual allowance of three pounds to Mares; and by any creole Horse or Horses, Mare or Mares, Gelding or Geldings, measuring not less than fourteen hands high, and being the get of an English Stallion, to be measured according to the regulations aforesaid, carrying nine stone, and also allowing the usual allowance to Mares and Geldings, viz. three pounds: And also, one other purse of One Hundred Pistoles, to be run for in like manner once every

Penalties on persons allowing diseased Horses, &c. to run at large.

Penalty on persons suffering put in, or turn into or upon waste grounds, any Horse, &c. to run at large.

Such beasts to be destroyed.

Annual purses for Horse-racing to be furnished by the Receiver-General.



every year, on the first Thursday in August, in the county of Surry, £789.  
 on the Kingston Course, under the rules and regulations herein before  
 directed: And also, one other purse of One Hundred Pistoles, to be  
 run for in like manner once every year, in the county of Cornwall,  
 in the respective parishes of Saint Elizabeth, Westmoreland, Hano-  
 ver, Saint James, and Trelawny, alternately; the first purse for  
 said county of Cornwall to be run for in the parish of St. Elizabeth,  
 on the second Thursday in October; the second in the parish of Saint  
 James, on the second Tuesday in March; the third in the parish of  
 Westmoreland, on the first Thursday in April; the fourth in the  
 parish of Hanover, on the second Thursday in March; and the fifth  
 in the parish of Trelawny, on the second Thursday in April; and so al-  
 ternately on the said respective days of the week and months of Octo-  
 ber, March, April, March, and April, in each of the said five succeeding  
 years, on such Course in each parish as the Justices and Vestry in each  
 respective parish shall direct and appoint, subject to the rules and re-  
 gulations as aforesaid; and if it shall happen that there is no Course  
 in any of the parishes at the time the race is to be run, it shall and  
 may be lawful for the Judges, as herein before mentioned, to ap-  
 point the race to be run over the nearest and most convenient Course  
 to such parish: *Provided always*, That no Horse, Mare, or Gelding  
 shall be allowed to win more than one public purse, except in one  
 and the same year; which said several sums of money shall annually  
 be paid and allowed the said Receiver-General: And the Governor  
 or Commander in Chief of this island for the time being shall or  
 may appoint some person or persons, who shall be judge or judges  
 of the said several races; but in case the Governor or Commander in  
 Chief for the time being shall not appoint some person or persons to  
 be judge or judges of the said races, then the person or persons who  
 shall judge and determine the said races, shall be chosen by a majority  
 of the persons (or by some person for each in their behalf) in whose  
 names such Horses, Mares, or Geldings are entered.

Governor or  
 Commander  
 in Chief to  
 appoint judg-  
 es for the se-  
 veral races,

VII. *And be it further enacted by the authority aforesaid*, That, from and after the passing of this act, no plate, match, prize, sum  
 of money, or other thing, shall be run for, or advertised, published  
 or proclaimed to be run for, by any Horse, Mare, or Geld-  
 ing, unless such plate, match, prize, or sum of money, shall be of  
 the full, real, and intrinsic value of Fifty Pounds, or upwards,  
 current money of this island; and in case any person or persons shall,  
 from and after the passing of this act, start or run any Horse, Mare,  
 or Gelding, for any plate, match, prize, sum of money, or other  
 thing, of less value than Fifty Pounds, as aforesaid, every such per-  
 son or persons shall, for every such offence, forfeit and lose the sum  
 of Two Hundred Pounds, of like current money, to be recovered

No prize to  
 be run for un-  
 der the value  
 of Fifty  
 Pounds, un-  
 der penalty,

in

1789. in the Supreme Court of Judicature of this island, or Courts of Assize, by action of debt, bill, plaint, or information; one moiety whereof shall be to his Majesty, his heirs and successors, for and towards the support of the government of this island, and the contingent charges thereof, and the other moiety to him, her, or them who shall sue for the same: *Provided*, That it shall not be lawful for any person or persons to enter, start, or run any Horie or Horses for any private purse of the value aforesaid, except on one or any of the Race-Courses already mentioned in this act, and at Saint Ann's Bay, Saint Jago Savanna in Clarendon, and Hayes Savanna in Vere, under the penalty of Two Hundred Pounds, to be recovered and appropriated in manner aforesaid.

Penalties how  
to be recover-  
ed and ap-  
plied.

VIII. *And be it further enacted by the authority aforesaid*, That all the fines and penalties mentioned and contained in this act, and not declared how they shall be recovered, or how applied, shall be recovered by action of debt, bill, plaint, or information, in the Supreme Court of Judicature of this island, or in either of the Assize Courts, wherein no protection, or wager of law, or *Non vult ulterius prosequi* be entered or allowed; one moiety whereof shall be to his Majesty, his heirs and successors, for and towards the support of the government of this island, and the contingent charges thereof, and the other moiety to him, her, or them that shall sue for the same.

Premium on  
the importa-  
tion of large  
Neat Cattle.

IX. *And whereas* it would tend to the profit and advantage of this island to be enabled to furnish the navy and army, and the inhabitants in general, with large and heavy Neat Cattle for slaughter; and as such good end can only be obtained by the pains and expense of importing the best stock from Great-Britain or Ireland: *Be it enacted by the authority aforesaid*, That any master of a ship or ships, or other vessels, or any person or persons who shall import into this island from Great-Britain or Ireland, after the passing of this act, any bull or bulls of the weight of one thousand two hundred and four pounds, or eighty-six stone or upwards each (fourteen pounds to the stone) and not exceeding the age of three years, shall have and receive from the Receiver-General of this island for the time being, who is hereby required to pay the same for every bull of the aforesaid weight, a bounty or sum of thirty Pounds, current money of this island, at the expiration of three months, and not exceeding twelve months, after the landing of said bull or bulls, on affidavit made before a Magistrate of such bull being then alive, and furnishing sufficient proof of its being of the aforesaid weight (within the time limited as aforesaid), as an encouragement for importing the same into this island.

X. *And be it enacted by the authority aforesaid*, as an encouragement for further improving the breed of Neat Cattle, That if any person



person or persons within this island, after the passing of this act, 1789. shall breed any bull or bulls of the weight of one thousand one hundred and twenty pounds weight, he or they shall be, and are hereby entitled to (for breeding every such bull or bulls) the bounty or sum of Ten Pounds, like current money; to be paid by the Receiver-General, on a certificate being produced to him, under the hand and seal of one or more of his Majesty's Justices of the Peace (who is and are hereby empowered and required to grant the same, on affidavit made before him or them), that said bull or bulls were bred by the deponent, and are of the weight required in this act.

Bounty for breeding large cattle in this island.

XI. *And be it further enacted by the authority aforesaid,* That this act, and every matter, clause, and thing therein contained, shall continue and be in force, from the passing thereof, for and during the term of five years, and no longer.

Continuance of this act.

*An Act to prevent the Burying the Dead in the Churches of this Island; and to enable the Justices and Vestry of certain Parishes to purchase Lands for Burial-Grounds.*

Passed 19th of December.

WHEREAS the practice of burying the Dead in the churches of this island, especially within the several towns, has been found dangerous to the health of the inhabitants: For prevention whereof in future, We, your Majesty's dutiful and loyal subjects, the Assembly of Jamaica, beseech your Majesty *that it may be enacted; And be it enacted by the Lieutenant-Governor, Council, and Assembly of the island aforesaid, and it is hereby enacted by the authority of the same,* That, from and after the first day of January which will be in the year of Our Lord one thousand seven hundred and ninety, if any rector, or other incumbent of any parish or parishes of this island, shall permit or suffer any corpse or corpses, of any person or persons whatsoever, to be interred or buried in any church or chancel of such parishes, such rector or incumbent so offending shall forfeit and incur a penalty of Five Hundred Pounds, for every such offence contrary to the true intent and meaning of this act.

500l. penalty on any rector permitting the interment of the Dead in his church.

II. *And be it further enacted by the authority aforesaid,* That the Justices, Churchwardens, and Vestrymen, for the parishes of Saint Catherine, Kingston, Saint James, and Westmoreland, or such of the said parishes as are not already provided with sufficient burial-grounds, be, and are hereby, authorized, empowered, required, and directed, to purchase, at the expence of the aforesaid parishes respectively, a fit and convenient piece of land, contiguous or as near as possible

Churchwardens, &c. where there are not sufficient burial-grounds, empowered to purchase lands for the purpose.

1789. possible to each of the towns of Saint Jago de la Vega, Kingston, Montego-Bay, and Savanna-la-Mar, to be enclosed and reserved as a burying-ground for each of the aforesaid towns respectively, in addition to the present church-yards.

III. *And whereas* it has been usual to allow a consideration to the rector, or other incumbent, for permission to open the ground for the interment of the Dead within the several churches of this island; and it is just and reasonable that, while care is taken of the convenience and health of the community, individuals should not suffer: *Be it therefore enacted*, That the Justices, Churchwardens, and Vestrymen, of the several parishes of this island herein after mentioned, respectively be, and are hereby, authorized, empowered, required, and directed, on the day appointed for choosing Churchwardens and Vestrymen for the several parishes within this island respectively, or within thirty days thereafter, in lieu and compensation thereof, annually to assess, and cause to be levied, an equivalent sum, to be paid half-yearly in all times to come, in addition to and in the usual manner as the annual stipend hitherto allowed to the rector of each parish respectively; that is to say, the parish of Saint Catherine, the sum of seventy pounds; the parish of Kingston, the sum of one hundred and ten pounds; the parish of Port-Royal, the sum of thirty pounds; the parish of Saint Andrew, the sum of fifty pounds; the parish of Saint Thomas in the East, the sum of fifty pounds; the parish of Portland, the sum of twenty pounds; the parish of Saint Ann, the sum of fifty pounds; the parish of Saint James, the sum of fifty pounds; the parish of Hanover, the sum of fifty pounds; the parish of Saint Elizabeth, the sum of fifty pounds; the parish of Clarendon, the sum of thirty pounds; the parish of Saint Dorothy, the sum of twenty pounds; the parish of Vere, the sum of thirty pounds; and the parish of Saint Thomas in the Vale, the sum of thirty pounds.

50l. penalty  
on Church-  
wardens, &c.  
for neglect of  
duty.

IV. *And be it further enacted by the authority aforesaid*, That every Justice, Churchwarden, and Vestryman, neglecting or refusing to do his duty in the premises, shall, for every such neglect or refusal, forfeit the sum of Fifty Pounds.

30l. per ann.  
to be paid to  
each of the  
rectors of the  
remaining pa-  
rishes.

V. *And be it further enacted by the authority aforesaid*, That the compensation of thirty pounds *per annum* shall be raised in like manner, and paid to the rector of every other parish in the island, as soon as a church shall be erected and finished in such parish.

Penalties how  
to be recover-  
ed, and ap-  
plied.

VI. *And be it further enacted*, That all penalties and forfeitures imposed by this act shall be recovered in the Supreme Court of Judicature, or in any of the Courts of Assize of this island, by bill, plaint, or information, wherein no essoin, protection, wager of law, injunction,



injunction, or *Non vult ulterius prosequi*, shall be granted or allowed; the one moiety thereof to be paid to the Churchwardens, for the use of the parish where the offence is committed, the other moiety to the informer, or to him, her, or them who shall sue for the same.

1789.

VII. *Provided nevertheless, and be it enacted by the authority aforesaid*, That nothing in this act contained shall extend, or be construed to extend, to prevent any person or persons from erecting monuments to the memory of the Dead, in manner as hath been heretofore accustomed.

Persons not prevented from erecting monuments as heretofore.

*An Act to explain and amend an Act, entitled, " An Act for repealing certain Clauses of an Act for repealing an Act, entitled, ' An Act for the better discovering and collecting the Arrears of his Majesty's Quit-Rents, for the more effectual collecting the Quit-Rents hereafter to become due, and for the better discovering, ascertaining, and collecting such Arrears, and for the more effectual collecting the Quit-Rents hereafter to become due ;' and for the more easy and effectual collecting, as well the Arrears of his Majesty's Quit-Rents, as the Quit-Rents hereafter to become due to his Majesty.*

Passed 19th of December.

WHEREAS, in pursuance of an act of the Lieutenant-Governor, ACT 61. Council, and Assembly of this island, passed in the year of Our Lord one thousand seven hundred and eighty-eight, entitled, *" An Act for repealing certain Clauses of an Act for repealing an Act, entitled, ' An Act for the better discovering and collecting the Arrears of his Majesty's Quit-Rents, for the more effectual collecting the Quit-Rents hereafter to become due, and for the better discovering, ascertaining, and collecting such Arrears, and for the more effectual collecting the Quit-Rents hereafter to become due ;' and for the more easy and effectual collecting, as well the Arrears of his Majesty's Quit-Rents, as the Quit-Rents hereafter to become due to his Majesty,"* many persons who had given in accounts of their lands within the time limited by the said act, and according to the true intent and meaning thereof, offered and were ready to pay,

Preamble.

O o

to

1789. to the Receiver-General of this island, whatever should appear to be justly due for the arrears of Quit-Rents for their respective lands, in order to entitle themselves to the advantages held out by the said act; but on account of the great number of persons owing for arrears, and the difficulty of adjusting their respective accounts, it was found impracticable for the Receiver-General to make out and adjust the accounts of all persons so applying within the time limited by the said act: *And whereas* it is just and reasonable that further time should be granted, for the above purpose, to all persons under the above-mentioned circumstances: *And whereas* it is found necessary to explain and amend the said act of the Lieutenant-Governor, Council, and Assembly, in other respects, the same not having proved fully adequate to the purposes for which it was intended: May it please your Majesty *that it may be enacted; And be it therefore enacted* by the Lieutenant-Governor, Council, and Assembly of this your Majesty's island of Jamaica, *and it is hereby enacted by the authority of the same*, That, from and after the passing of this act, it shall and may be lawful for all persons who have given in, or caused to be given in, before the Justices and Vestry of the parish where the lands respectively lie, a true and exact account, in writing, of the whole of the lands which they respectively own, hold, enjoy, inherit, occupy, or possess, according to the true intent and meaning of the said recited act, and who shall, within the time limited in that respect by the said act, have applied at the office of the Receiver-General of this island, and there tendered or offered payment of what should appear to be justly due for arrears of the Quit-Rents of their respective lands, or offered to give bond for the payment thereof, as directed by the said act, but who were not able to get their accounts of arrears adjusted and settled at the said office, again to apply at the said office, and on payment in cash to the Receiver-General for the time being, of the amount due for arrears of their several and respective lands, to the thirty-first day of December, one thousand seven hundred and eighty-eight, to receive or be allowed by the Receiver-General for the time being, such discount or deduction of Fifteen Pounds *per cent.* as mentioned in the said recited act, or otherwise to enter into and give bond to our Sovereign Lord the King, his heirs and successors, for the full amount of the arrears of their respective Quit-Rents, in the same manner as directed by the said act; provided that such payment of arrears be made in cash, to the Receiver-General for the time being, on or before the fifteenth day of May next, or that such bond or bonds be duly entered into, and delivered to such Receiver-General, on or before the said last-mentioned day, and be made payable on or before the twenty-eighth day of July next; any thing in

Further time granted to such persons who have complied with the requisitions in the former act.

the



the said recited act to the contrary thereof in anywise notwithstanding. 1789.

II. *And be it further enacted by the authority aforesaid, That all persons who own, hold, enjoy, inherit, occupy, or possess any lands within this island, in their own right, or in right of their wives, and all mortgagees in possession, guardians, attornies, agents, trustees, executors, and all other persons in possession of lands within this island, in right of others, shall, at the time of the annual givings in, before the Justices and Vestry of the several and respective parishes of this island, of the accounts of the lands they respectively so own, hold, enjoy, inherit, occupy, or possess, agreeably to the true intent and meaning of the aforesaid act, specify, and distinctly set down in writing, in such accounts, the whole number of acres of land, and, if foot-land, the number of lots, and the quantity of feet in each lot, which shall have been by them, or any of them, sold, or otherwise granted and conveyed, since the time of the former giving in of such lands, together with the name or names of the person or persons, and where resident, to whom the same has been so sold, or otherwise granted or conveyed; and for that purpose the following form, or to the like effect, shall be added to and made a part of each of the oaths in that respect prescribed by the said act, and thereby directed to be written at the foot of each and every account so to be given in; viz.*

Persons when giving in to specify in writing, upon oath, the number of acres disposed of, and to whom.

*" And I do also swear, (or affirm, if a Quaker) that the above contains a true and exact account of the whole number of acres of land, or, if foot-land, of the number of lots, and the quantity of feet in each lot, which has been sold or otherwise granted or conveyed, and the name or names of the person or persons, and of his, her, or their place of residence, to whom the same has been so sold, or otherwise granted or conveyed, according to the best of my knowledge and belief."*

And all and every person or persons who shall hereafter neglect or refuse to give in, or cause to be given in, before the Justices and Vestry of the parish where the lands lie, a true and just account of the lands which they respectively own, hold, enjoy, inherit, occupy, or possess, within this island, at the time and in manner and form herein before and in the said recited act declared, limited, and appointed, shall, for every such neglect or refusal, forfeit the sum of One Hundred Pounds, and be moreover liable to be taxed or assessed by the Justices and Vestry, in the same manner as is directed by the said act, in the case of persons neglecting or refusing to give in an account of the lands as therein mentioned; who shall nevertheless be entitled to the benefit of the proviso contained in the said act, in case

Penalty on persons refusing or neglecting to give in as aforesaid.

1789. such neglect or refusal shall appear not to have been wilful on their part.

Collecting  
Constable to  
give to the  
Receiver-Ge-  
neral an ac-  
count, on  
oath, when  
no goods,  
chattels, &c.  
are found to  
distrain on.

Receiver-Ge-  
neral to trans-  
mit a copy of  
said account  
to the Clerk  
of the Vestry  
of such parish  
where the  
goods, chat-  
tels, &c. of  
the delin-  
quent may be  
found.

Justices, Clerk  
of the Vestry,  
&c. to use the  
same means  
for recovery  
of such Quit-  
Rents as they  
do for reco-  
very of taxes  
within their  
own parish.

III. *And be it further enacted by the authority aforesaid,* That in all cases where a Collecting Constable, to whom a roll and warrant shall be delivered for collecting and gathering in either of the arrears of Quit-Rents, or the annual Quit-Rents, in any parish of this island, shall not be able to collect the Quit-Rents due from any person or persons for want of goods, chattels, or slaves to distrain upon, he shall make out an account thereof in writing, which he shall swear to the truth of before any one Justice of the Peace of this island, and deliver the same to the Receiver-General of this island, at the time when he shall pay over to him such monies as he may have collected under such roll and warrant, under the penalty of Fifty Pounds, in case of neglect or refusal; and the Receiver-General for the time being shall, under the like penalty, within twenty days from and after such account shall be delivered to him, as aforesaid, transmit to the Clerk or Clerks of the Vestry of any parish or parishes within this island, where he may know or have reason to believe there are goods, chattels, or slaves, liable to distress for non-payment of the Quit-Rents mentioned in the said account, so received from any Collecting Constable, a copy of such account; and the Clerk or Clerks of the Vestry who shall receive such copy, and also the Justices of the Peace of the parish or parishes respectively, are hereby severally and respectively required, authorised, and empowered to do all such acts, matters, and things, for the recovery of the Quit-Rents mentioned in the said account, as they are severally and respectively required, authorised, and empowered to do by the said recited act, for the recovery of Quit-Rents, or arrears of Quit-Rents, for lands lying within the parish for which they were appointed Justices of the Peace; and the said Clerk or Clerks of the Vestry, and the said Justices of the Peace, or any or either of them, neglecting or refusing to do his or their duty herein, shall respectively incur and be liable to the same fines and forfeitures as are in that respect imposed by the said act; and the Collecting Constable of each and every parish, to whom any roll or warrant shall be delivered, in pursuance of this act, shall be, and he is hereby, authorised and empowered to take and use all such lawful ways and means for the collecting and gathering in the Quit-Rents mentioned in the said roll, as he is authorised under the said act to use for the recovery of the Quit-Rents therein mentioned: And every such Collecting Constable shall pay over all and every such monies as he shall receive, under the said warrant and roll, into the hands of the Receiver-General for the time being, within thirty days after the same shall have been delivered to him, deducting thereout one shil-

ling



ling in the pound, for his trouble in collecting the same, and no more; and every such Collecting Constable shall be, and he is hereby made, amenable, in the same manner as for any other public tax, to the Supreme Court of Judicature of this island, for any neglect of duty in the execution of any warrant under this act, or non-payment of the monies by him received to the Receiver-General for the time being; and the Receiver-General is empowered to take out a writ or writs of *Venditioni exponas* against the body and goods of the security or securities of every such Collecting Constable, as well as against the body and goods of such Collecting Constable, and to proceed thereon in the same manner, for the recovery of all sum and sums of money which shall be unpaid by such Collecting Constable, as is directed by the act of the Governor, Council, and Assembly of this island, passed in the year of Our Lord one thousand seven hundred and eighty-three, entitled, "*An Act for repealing an Act, entitled, 'An Act for the better discovering and collecting the Arrears of his Majesty's Quit-Rents, for the more effectual collecting the Quit-Rents hereafter to become due, and for the better discovering, ascertaining, and collecting such Arrears; and for the more effectual collecting the Quit-Rents hereafter to become due.'*"

1789.

Collecting  
Constable of  
such parish  
made amena-  
ble for such  
levy, in same  
manner as for  
any other  
public tax.

IV. *And be it enacted by the authority aforesaid*, That if any Justice of the Peace, Vestryman, Clerk of the Vestry, Receiver-General, or Collecting Constable, shall neglect or refuse to do his or their duty pursuant to the true intent and meaning of this act, or of the said recited act, passed in the year of Our Lord one thousand seven hundred and eighty-eight, every person so offending shall, for every offence or neglect for which no penalty is herein before inflicted, forfeit the sum of One Hundred Pounds; and that all and every the penalties incurred by this act shall be recovered by action of bill, plaint, or information, in the Supreme Court of Judicature of this island, wherein no essoin, protection, wager of law, injunction, or imparlance shall be granted or allowed, or *Non vult ulterius prosequi* be entered; one moiety of all which fines and forfeitures, to be hereby incurred and recovered as aforesaid, shall be to our Sovereign Lord the King, his heirs and successors, for and towards the support of the government of this island, and the contingent charges thereof, and the other moiety to him or them who shall sue for the same; any law, custom, or usage to the contrary thereof in anywise notwithstanding.

Penalty on  
Justices, &c.  
refusing or  
neglecting to  
do their duty.

Penalties how  
to be recover-  
ed and ap-  
plied.

1789.

Passed 19th of  
December.

*An Act to enable the Directors of the Bath of Saint Thomas the Apostle to grant certain Lots and Parcels of Bath Land in Fee, and for other Purposes.*

ACT 62.

Preamble.

Inconven-  
cies arising  
from the  
abuse of for-  
mer Bath acts,

proposed to  
be remedied  
by additional  
grants.

\* Lodged  
with the ori-  
ginal record  
in the Secre-  
tary's Office.

Not more  
than one lot  
to be granted  
to each per-  
son.

Additional  
Directors  
appointed.

WHEREAS many of the lots heretofore laid out in the town of Bath have been destroyed by the inundations of Plantain-Garden-River: *And whereas*, contrary to the spirit and intention of former acts, divers individuals are each become possessed of more than one of the remaining lots; by means whereof no lands are left to be granted to persons willing to settle in the said town, and to build houses for the public accommodation: *And whereas* part of fifty acres, binding north on Island-River-Street, reserved for the use of the public, may be conveniently spared, to be added to the said town: We, your Majesty's dutiful and loyal subjects, the Assembly of Jamaica, do most humbly beseech your Majesty *that it may be enacted; And be it enacted* by the Lieutenant-Governor, Council, and Assembly, *and by the authority of the same*, That it may and shall be lawful to and for the said Directors, or any three of them, and they are hereby authorized, empowered, and required to convey, in like manner as is prescribed by an act passed in the year of Our Lord one thousand seven hundred and forty-nine, and subject to the same conditions in case of forfeiture, a good and indefeasible estate, in fee-simple, of one half-acre, to contain in front one hundred and thirty-two feet, binding south on Island-River-Street, agreeable to the \* diagram hereunto annexed, to all and every person and persons who shall apply for the same, excepting and reserving one acre in front of the houses of the Overseer and Negroes belonging to the Bath.

II. *Provided always, and it is hereby enacted*, That it shall not be lawful for any individual to hold, in his own name, or in the name of any other person or persons in trust for him, or to his use, by grant, purchase, or otherwise, more than one of the lots to be granted by virtue of this act.

III. *And whereas* the good government and economy of the Bath require that there should be frequent meetings of the Corporation, which it is often difficult to procure, for want of a competent number of Directors resident in the neighbourhood: *Be it therefore further enacted*, That John Macqueen, William Lambie, John Scott, George Scott, Samuel Crookshanks Baillie, Kean Osborn, Charles William Mitchell, George Grant, John Kelly, Eliphalet Fitch, and James Lindsay, Esquires, be, and they are hereby, added to the Directors herein before appointed, for the purposes of carrying into execution



execution this act and the former acts for the government of the Bath, 1789. with the same powers and authority, to all intents and purposes, as the Directors already appointed hold and enjoy.

IV. *And be it enacted by the authority aforesaid, That, from hence-* forth, the Public or Botanic Garden, in the town of Bath, shall be under the direction and inspection of the said Directors; and that it shall and may be lawful to and for the said Directors, or any three of them, from time to time to appoint such white person as they shall think fit, to be employed as a Gardener under the Island Botanist, and to hire so many negro or other slaves, to work and be employed in and about the business of the said Garden, and to order and direct all such things to be done or purchased for the use and improvement of the said Garden, as they the said Directors, or any three of them, shall judge proper; who are hereby authorised and empowered to allow such wages, hire, and sums of money as shall be necessary for the above purposes, and to draw for the same upon the Receiver-General for the time being, who is hereby required to pay the same; provided the amount of such orders do not, in the whole, exceed the sum of two hundred pounds in any one year.

Directorsempowered to appoint a Gardener, hire slaves, &c. for the use of the Botanic Garden; the expence whereof not to exceed 200l. per ann.

*An Act for appointing Commissioners for purchasing a sufficient Quantity of Land, on the north Side of the public Parade in the Town of Saint Jago de la Vega, whereon to fix the Statue of Lord Rodney, and to erect one or more Offices and Buildings for holding and better preserving the Public Records.* 1790.

Passed 30th of March.

**W**HEREAS it is necessary that a proper place should be appointed wherein to fix and erect the Statue of Lord Rodney: **ACT 63.** *And whereas* it is absolutely necessary that one or more additional Offices should be built for the reception and preservation of the Public Records: May it please your most Excellent Majesty *that it may be enacted; Be it therefore enacted* by the Governor, Council, and Assembly of this your Majesty's island of Jamaica, *and it is hereby enacted and ordained by the authority of the same,* That fit and proper edifices and buildings be erected on the north side of the public Parade, in the town of St. Jago de la Vega, for the purposes aforesaid; and that the Honourable Samuel Williams Haughton, Esquire, Speaker of the Assembly, William Mitchell, John Rodon, Philip Redwood, **Commissioners appointed for carrying this act into execution.**

Preamble.

1790. Redwood, Bryan Edwards, Richard Batty, Henry Shirley, George Murray, William Jackson, Samuel Whitehorne, Thomas Murphy, William Blake, Thomas Bourke, John Hutchinson Frazer, Archibald Sympson, Zachary Bayly Edwards, Joseph Woodhouse, and Alexander Fullerton, Esquires, shall be, and are hereby, constituted and appointed Commissioners for designing, erecting, ordering, and building such edifices and buildings.

Commissioners to meet on or before the 1st of June, 1790.

II. *And be it further enacted by the authority aforesaid*, That the Commissioners aforesaid, or any three or more of them, shall meet together, at the Court-House of St. Jago de la Vega, on or before the first day of June next, in order to put this act in execution; and shall, after their first meeting, as often as they, or any three or more of them, shall think proper, meet and assemble in such places and at such times as to them shall seem most convenient for the purposes aforesaid.

Commissioners empowered to design buildings, purchase lands, &c.

III. *And be it further enacted by the authority aforesaid*, That it shall and may be lawful to and for the said Commissioners, or any three or more of them, and they are hereby empowered, at any time or times, at and after their first meeting, to design, assign, and lay out, how and in what manner, and with what materials, the said intended edifices and buildings shall be made, erected, and built, and to agree with the owner or owners, occupiers of, and other persons interested in, any lands, houses, or buildings they shall judge fit to be purchased for the purposes aforesaid, and to purchase the same, for such reasonable price and consideration as between them and the said owners and occupiers of, and other persons interested in, the same shall be agreed upon.

In case of the owners refusing to sell, or any other impediment to the conveyance of, such lands; a Jury to value them, on application of the Commission-

IV. *And*, in case the owner or occupier, or occupiers, and other persons interested in such lands, houses, and buildings as shall be necessary to be purchased for the purposes aforesaid, shall refuse to sell and convey the same, or, through disability by non-age, coverture, or special tail, or other impediment, cannot treat for themselves, and grant and convey such lands and premises as may be required to be granted and conveyed, or, by reason of absence from the island, or otherwise, shall be unable to grant and convey as aforesaid, then, *be it further enacted by the authority aforesaid*, That it shall and may be lawful to and for any Justice of the Peace of the parish of Saint Catherine, upon application made to him by the said Commissioners, or any three or more of them, to issue his warrant to the Provost-Marshal-General to impanel, summon, and return a competent number of persons qualified to serve on Juries (such number not to be less than twenty-four, out of which persons so to be impaneled, summoned, and returned, a Jury of twelve persons shall be drawn by ballot)



ballot) to be and appear at such time and place as in the said warrant shall be expressed; who, upon their oaths (which oaths, and also the oaths of the witness or witnesses to be called before the said Jury, the said Justice is hereby empowered and authorized to administer) shall enquire of the value of the lands, messuages, tenements, and hereditaments, and of the respective estate and interest of every person seised or possessed thereof, or interested therein, or of or in any part thereof, and shall assess and award the sum or sums to be paid to every such person or persons for the purchase of such their estates and interests, and the said Jury shall give judgment for such sum or sums of money so to be assessed; which judgment or determination thereupon (notice in writing being given to the person or persons interested, at least fourteen days before the time of such assessment, declaring the time and place of the meeting of the said Justice and Jury, by leaving such notice at the dwelling-house of such person or persons, or at his, her, or their usual place or places of abode, or with some tenant or occupier of the said lands, tenements, or hereditaments intended to be valued and assessed, in case such party be absent from the island, or cannot otherwise be found to be served with such notice) shall be binding and conclusive, to all intents and purposes whatsoever, against all and every person and persons whomsoever claiming any estate, right, title, trust, use, or interest in, to, or out of the said lands, tenements, or hereditaments, either in possession, reversion, remainder, or expectancy; and the valuation and appraisement of the said lands, messuages, tenements, and hereditaments, shall be paid by the said Commissioners, or any three or more of them, out of the monies granted by this or any subsequent act for the purposes aforesaid, to the person or persons entitled to receive the same: And the said Commissioners, or any three or more of them, are hereby empowered, by warrant or warrants under their hands and seals, from time to time as occasion shall require, to call before the Juries, to be warned as aforesaid, any person or persons who shall be thought necessary to be examined as witnesses touching or concerning the premises; which said verdicts and proceedings of the said Commissioners and Juries, so to be made, as shall relate to any lands or premises, being fairly written by the Commissioners Clerk, under the hands and seals of the said Provost-Marshal and Juries, shall be returned into the Secretary's Office of this island, and recorded, and kept among the records there, and shall be deemed and taken to be records of the said island, to all intents and purposes whatsoever; and the same, or two copies thereof, shall be taken, adjudged, and deemed good and effectual evidence and proof in any courts of law or equity in this island: And, from and immediately after such return of any such proceed-

1790.

ers to any Justice of Peace, who shall issue his warrant for summoning the same.

How such Juries are to proceed.

Valuation of such lands to be paid by the Commissioners;

who are empowered to summon witnesses before the Juries.

Verdicts of the Juries to be recorded, and admitted as evidence in the Courts.

1790. *When Commissioners may occupy such lands, and how they are to be indemnified.* ings, it shall and may be lawful to and for the said Commissioners, and for their agents, workmen, and servants, to pull down any houses or buildings mentioned in the said proceedings, and to use such lands, hereditaments, and premises, and thereon to erect and make such buildings and erections as may be necessary in the premises; and this act shall be sufficient to indemnify the said Commissioners, and all and every person and persons by them or any of them authorized and empowered, or acting under the same, against the said owners, tenants, or occupiers, their heirs, successors, executors, administrators, and assigns, and all and every other person and persons, to all intents and purposes whatsoever.

*In cases of sale, the conveyance of such lands to be to his Majesty, &c.*

V. *And be it further enacted*, That if the said land, or any part thereof, should be disposed of by sale and conveyance, that the deed or instrument of conveyance shall vest, by proper words to be therein inserted, the freehold and inheritance of the same in his Majesty, his heirs and successors, for the use of the public of this island.

*And in cases of valuation by a Jury, the lands so valued to be vested in his Majesty.*

VI. *And be it further enacted*, That, when the said lands, or any part thereof, shall be valued by a Jury as above directed, upon the return of the said inquisition, the said lands and premises, so valued, shall be deemed thereby vested in his Majesty, his heirs and successors; *Provided*, that the proprietor and owner of the said premises, so returned valued, shall be thereby entitled to receive and have from the said Commissioners, or any three of them, orders on the Receiver-General for the sum or amount, when demanded.

*Materials used in erecting the buildings to belong to the Commissioners.*

VII. *And be it enacted by the authority aforesaid*, That all stones, bricks, planks, boards, iron, and all other materials which shall be made use of for or towards building or making the said edifices and buildings, or in or about the same, shall always be deemed to belong and appertain to and be the property of the said Commissioners.

*The sum of 3000*l.* to be paid by the Receiver-General to the order of the Commissioners, to be applied in erecting the buildings, &c.*

VIII. *And be it enacted by the authority aforesaid*, That the sum of three thousand pounds, granted by a clause in the Poll-Tax Law passed or to be passed in this present session, shall be appropriated and applied towards erecting and building the said edifices and buildings; and that Eliphalet Fitch, Esquire, or the Receiver-General for the time being, out of the surplussage of all the funds in his hands unappropriated, shall pay the said sum of three thousand pounds, or any part thereof, to the order of the said Commissioners, or any three or more of them, signified by writing under their hands.

*Artificers employed by the Commissioners, to give security for performance of their contracts.*

IX. *And be it enacted by the authority aforesaid*, That all artificers and others, who shall make any contract or agreement with the said Commissioners, for building or finishing all or any part of the said edifices and buildings intended to be erected and built by virtue of the powers and authorities given in and by this act, or other purposes herein



herein mentioned, shall give security, to be approved of by the said Commissioners, or any three or more of them, for the due performance of all and every the matters and things contained in such contracts or agreements, according to the true intent and meaning of the same. 1790.

X. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful to and for the said Commissioners, or any three or more of them, at any time or times hereafter, by writing or writings under their hands, to appoint such person or persons to be clerk or clerks, and such other officers, as they shall think fit, for doing such acts as may be necessary in the execution of the powers and authorities hereby given to the said Commissioners; which clerks or other officers shall, from time to time, be removable, at the will and pleasure of the said Commissioners, or any three or more of them, by instrument in writing under the hands of the said Commissioners, or any three or more of them: And the said Commissioners, or any three or more of them, shall and may make such allowances unto such clerk or clerks, or other officers, to be employed by and under the said Commissioners, for their care and pains in the execution of their respective offices, as the said Commissioners shall think reasonable: *Provided always,* That no person appointed or to be appointed a Commissioner for putting this act in execution, or any of the powers or authorities as aforesaid, shall be capable of acting as a Commissioner during such time as he shall have or execute any office or place of profit under or by the authority of this act, or during such time as he shall have any share or interest in any contract or agreement for effecting the purposes aforesaid. Commissioners may appoint and remove clerks and other officers, making them such allowance as they may think reasonable. Proviso. No Commissioner to be concerned in any contract under this act.

XI. *And it is hereby further declared,* That this act is a public act, and shall be deemed and taken notice of as such by the Judges, Justices, and others, in all courts and places in this island, without specially pleading the same. This act to be a public act.

*An Act to authorize certain Commissioners, therein named, to collect, print, and publish, the several Public Acts of Assembly of this Island; and for declaring the Acts, so published by the said Commissioners, to be Evidence in all Cases whatsoever.* Passed 30th of March.

WHEREAS it is necessary and expedient that correct copies of the several Public Acts in force in this island be printed and published, ACT 64. Preambles.

1790. published, under and by the direction and advice of certain Commissioners to be authorized and appointed for that purpose: May it please your most Excellent Majesty *that it may be enacted; Be it therefore enacted* by the Governor, Council, and Assembly of this your Majesty's island of Jamaica, *and it is hereby enacted and ordained by the authority of the same*, That the Chief-Justice for the time being, Bryan Edwards, William Mitchell, John Rodon, Philip Redwood, John Hutchinson Frazer, Samuel Whitehorne, Charles Grant, and Robert Shawe, Esquires, be appointed and authorized to collect, print, and publish all the several Public Acts of this island, which shall be in force on the thirty-first day of December, in the present year of Our Lord one thousand seven hundred and ninety; saving the right of James Jones, Esquire, under and by virtue of an act of the Governor, Council, and Assembly, passed in the year one thousand seven hundred and eighty-three.

Commissioners appointed for publishing the Laws.

The Laws so published to be received as Evidence in the Courts.

II. *And be it further enacted by the authority aforesaid*, That, immediately from and after the printing and publishing the same, such Acts so printed and published by and under the authority of the said Commissioners, or any three or more of them, be taken and received as conclusive Evidence in the several Courts of Justice of this island, in all cases whatsoever; any law, custom, or usage whatsoever notwithstanding.

Copies to be delivered to the Members of the Legislature, Judges, &c.

III. *And be it further enacted by the authority aforesaid*, That two copies of such Acts, so published as aforesaid, be sent to the Governor, and two copies to each Member of the Council and Assembly of this island, and two copies to the Chief-Justice and each of the Assistant Judges of the Supreme Court, and one copy to each Justice of Assize, and to each Clerk of the Peace and Vestry, in each of the parishes of this island, for the use of such parish.

Commissioners empowered to assign the copy-right, &c.

IV. *And be it further enacted by the authority aforesaid*, That the said Commissioners, or any three of them, be hereby authorized to grant, transfer, and assign the copy-right of and in the said Laws, so collected, printed, and published, under their direction and authority, to such person or persons as they shall think proper, towards defraying the expences of printing the same; and that the Receiver-General do pay to the order of the said Commissioners, or any three of them, a sum not exceeding the sum of twelve hundred pounds current money of this island, for the purchasing out the right of the said James Jones, and for the other purposes of this act, out of any money in his hands unappropriated.

1200l. to be paid to their order by the Receiver-General, for certain purposes.

T H E E N D.



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A N  
A B R I D G M E N T

OF THE

F O R E G O I N G L A W S; (1784-1788)

Comprehending the SUBJECT-MATTER of each Act  
and CLAUSE, properly digested:

TO WHICH IS PREFIXED, BY WAY OF

*I N D E X,*

A TABLE of the general TITLES and marginal NOTES.

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*Annotto-Bay Harbour.*

		A <sup>d</sup>	Clause
Vessels.	<b>D</b> UTIES to be paid by every vessel arriving in the Harbour of Annotto-Bay	15	1
Receiver-General.	Penalty on the Receiver-General clearing out any vessel until said duties are paid	—	2
Certificate.	Provided the Water-Bailiff hath left a certificate with the Receiver-General, signed by the master, importing that the Water-Bailiff hath performed his duty in mooring his vessel	—	—
	Master of every vessel to give such certificate, upon application, within three days after his vessel is moored	—	3
Water-Bailiff.	Commander in Chief to appoint a Water-Bailiff	—	4
	Water-Bailiff to be sworn	—	5
	Justices and Vestry empowered to raise 50 <i>l.</i> per ann. to be paid to the Water-Bailiff, over and above said duties	—	6
	Water-Bailiff to be liable for any damage accruing to vessels through his ignorance	—	7
	No commissioner to be a Water-Bailiff	—	—
	Differences arising respecting the mooring of vessels to be settled by the Commissioners	—	8
	Justices and Vestrymen of St. Mary and St. George appointed Commissioners	—	9
Ballast.	Ballast not to be thrown overboard in said Harbour, under the penalty of 50 <i>l.</i>	—	10
Fire.	Harbour-Master to take charge of vessels on fire, in order to extinguish the same	—	11
	Penalty on persons obstructing him in his duty	—	—
<i>Attachment, Foreign.</i>			
	A Clause of a former act, passed in 1681, relative to proceedings in cases of attachment, repealed	3	1
	Attachments, how to be obtained and served	—	2

Plaintiff's

		Act	Clause
	Plaintiff's oath of the debt to be taken	3	2
Garnishees.	Garnishees disposing of the effects, &c. in their possession at the time of service, shall be liable to satisfy the plaintiffs	—	3
	Garnishees submitting to be examined in open court, allowed to retain their own demands	—	4
	Attachment shall stand dissolved if bail is put in	—	5
Judgments.	Judgments against garnishees to be conditional, that final judgments shall be obtained within three years	—	6
	If final judgments are not obtained within three years, the effects, &c. attached to be restored, with interest	—	7
	Effects, &c. attached beyond the amount of final judgment, to be restored, with interest	—	8
Writs.	The common writs of execution and venditioni may issue upon final judgment	—	9
	Slaves and live cattle not subject to writs of attachment	—	—
	In cases of attachments not provided for by this act, judges to be governed by custom of foreign attachments, as practised in London	—	—
<i>Bread.</i>			
Affize.	Justices and Vestrymen, from time to time, to ascertain the affize and price of bread	6	1
	Loaves to be marked with the initial letters of the maker's name	—	2
Bakers.	Penalty on bakers for vending bread not so marked, or deficient in weight	—	—
Forfeitures.	Forfeitures on information, to be given to the informers, and if on view of any justice, to the poor of the parish	—	—
	To be recovered by warrant and distress	—	—
	Justices and Vestrymen empowered to enter bakehouses, and such bread as they find deficient in mark or weight, to seize, and distribute amongst the poor	—	3
	Bakers and venders of bread transgressing, to forfeit ten pounds to the poor of the parish	—	—
<i>Bail-Bonds.</i>			
Provoft-Marshal.	When bail-bonds become forfeited, the Provoft-Marshall shall assign the same unto the plaintiffs	9	1
Assignees.	Assignees empowered to bring actions thereupon, and to levy for amount of judgment and costs	—	—
Judgments.	Bail-bonds, and actions thereon, to become void, upon the defendant's appearing before judgments are obtained on such bail-bonds, and giving bail to answer judgment, with costs, in the original actions	—	—
	No writs to issue on judgments on bail bonds, until judgments are obtained in the original actions	—	—
	Judgments on former actions not to be reversed	—	2
<i>Barracks.</i>			
Fort, &c. at Lucca.	Clauses of former acts, respecting the building of barracks, &c. repealed	25	1
	Fort, fortifications, and barracks at Lucca, put upon the public establishment	—	2
	Commissioners of forts appointed commissioners for repairing said barracks, &c.	—	—
	Expence not to exceed 2000 <i>l</i> .	—	—
Commissioners.	No money to be issued out of the fortification fund, but by order of the Commander in Chief and a quorum of the commissioners	—	3
	Materials for work may be taken from the lands of any person, making compensation for the same, as also for damages	—	4
		Credit	



*Credit of the Island.*

		Act	Clause
British Creditors.	Interest on judgments obtained to be allowed British creditors	43	1
	Defendants, setting up defence, to pay costs of encrease	—	2
Executions.	Executions for judgments on British debts, put on the same footing of priority with those of the island	—	3
Obligations.	Obligatory writings, &c. not demanded within twenty years, to be void	—	4

*Debtors, Insolvent.*

Gaol-keepers.	Clauses of acts respecting insolvent debtors repealed	30	1
	Gaol-keepers to make out correct lists of prisoners for debt in their custody, specifying the time when, and persons at whose suit they were committed; and deliver the same to the Judges of the Supreme Court, and Justices of Assize of the respective counties	—	2
	How prisoners for debt may be released	—	3
	Prisoners for debt to take an oath, in open court, to entitle them to the benefits of this act	—	—
Prison-fees.	Persons imprisoned for debt, or detained for prison fees, may be discharged, on making oath	—	4
	No person can take the benefit of this act a second time	—	—
Receiver-General.	Gaol fees to be paid by the Receiver-General	—	—
	The future effects of persons taking the benefit of this act, liable to be seized on by creditors	—	5
Felony.	Discharges, if fraudulently obtained, declared void	—	—
Assignees.	Persons guilty of wilful perjury, to be adjudged felons	—	6
	The court to appoint assignees, who are to sell the property, &c. of the bankrupt, and to sue for and recover debts, for the benefit of the creditors	—	7
	Estates, &c. expectant on, or subject to, the estate or interest of the prisoner, not subject to this act	—	—
Mortgages.	Previous mortgages not affected by this act	—	—
	Assignees empowered to compound with the debtors of the bankrupt	—	8
	The Supreme Court to dismiss all or any of such assignees, for offences or insufficiency, and appoint others	—	9
Creditors.	Imprisoned debtors, before they can claim the benefit of this act, must remain in actual custody three months, and give three weeks public notice to creditors	—	10
Account-books.	Prisoners for debt to lodge their books of accounts with the Deputy-Marshal, for the inspection of creditors	—	—

*Dividing-Fences.*

Jury.	Persons possessed of settlements which have no dividing-fences, or insufficient ones, to require their adjoining neighbours to assist, in equitable proportions, to make or repair such fences	11	1
	In case of refusal, the person requiring to apply to a magistrate to issue his warrant to summon three neighbouring freeholders, to ascertain the propriety of such requisition	—	2
	Magistrate to issue his warrant, to compel the party refusing to pay a proportion of the expense	—	—
Watchmen.	Gates and watchmen to be kept up on all pens and sugar estates; to be regulated by jury as aforesaid	—	3

*Emblements.*

Writs of Enquiry.	Judges of the Supreme Court to issue a writ of enquiry, for ascertainment of emblements	4	1
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		Art.	Clause
Jurors.	Jurors to be sworn in the presence of a Justice, to be warned for that purpose	4	1
Provost-Marsh.	Provost-Marshal to give fourteen days notice, in writing, previous to his executing writs of enquiry	—	2
Judgments.	Judges of the Supreme Court may give judgment on said writ, and enforce the same	—	3
Security.	Security to be entered into by defendants, to the amount of appraisements	—	—
	Distinct writs to issue for each respective parish	—	—
Fees.	Fees of the Provost-Marshal for executing such writs	—	—
	No person to enter on the lands of another for emblements	—	4
	Emblements specified	—	5
Absentees.	Absentees to have the same benefit as persons on the spot	—	6
Levies.	Levies on executions or venditionis, on account of emblements, not applicable to prior writs	—	7
	Magistrates and Jurors not attending, to be fined	—	8
	Jurors protected in their persons	—	—
<i>Elections.</i>			
Churches.	Elections not to be holden, or a poll taken, in any churches or chapels; and if so holden, to be null and void	27	1
Court-houses.	Elections to be held in Court-houses, Vestry-rooms, or other rooms, separate from the Church, appropriated to parochial business, &c.	—	2
	Where there is no Court-house, &c. Churchwardens to hire a room, or erect a booth, at the expense of the parish, not exceeding 25/.	—	—
Public Entertainments.	Candidates not to give public entertainments on days of holding elections; else such elections to be null and void, as to the candidates giving such entertainments	—	3, 4
	Churchwardens to provide refreshment for freeholders at the expense of the parish, not exceeding 50/.	—	5
<i>Elections, Controverted.</i>			
Petitions.	Whenever a petition complaining of undue election is presented to the House, a day to be appointed for consideration, and notice given the petitioners and sitting members, &c.	22	1
	Notice to be given the parties of the day appointed, &c.	—	2
	On the day appointed for taking such petition into consideration that business to precede all others	—	3
	Messenger to require attendance of the members	—	—
	If less than twenty-five members attend, the election business to be adjourned	—	—
	When twenty-five members attend, the petitioners, &c. to attend at the bar	—	4
	The door of the House to be locked, and no member to enter or depart	—	—
Lots.	Manner in which lots shall be drawn for nineteen members	—	—
	Members, on some occasions, may be excused from serving in the select committee, and others drawn to supply their places	—	5
	Petitioner and the sitting member each to name one member, to be added to those chosen by lot	—	—
	After nineteen members are so chosen then the door of the House to be opened, and the House may proceed on other business	—	6
	Petitioner and sitting member alternately to strike off one of the nineteen members till they are reduced to eleven, &c.	—	—
	To which the two nominated members are to be added	—	—
Select Committee.	Select committee to try and determine the merits of the return	—	—
	Methods to be observed in the House, the day previous to the taking into consideration petitions touching elections	—	8

Directions



		Act	Clause
	Directions for the proceedings of the select committee	22	9
	Their powers	---	10
	The House to confirm their determination	---	---
	Not to adjourn for more than 24 hours, without leave of the House, &c.	---	11
	No member of the select committee to absent himself, without leave from the House	---	13
	The select committee dissolved, in case its number is reduced by death to less than eleven	---	16
	The select committee may report any intermediate resolution to the House, and the House may confirm or disagree with the same	---	17
	Deliberating on any question, whether intermediate or final, the select committee may order the room where they are sitting to be cleared, &c.	---	18
Oaths.	The oaths taken in the House to be administered by the Clerk; and those before the select committee by the clerk attending them	---	19
Perjury.	Punishment for perjury	---	---
<i>Saint Elizabeth's.</i>			
	"Act for the ease of the inhabitants, &c." passed in 1723, repealed	40	1
Vestries.	Justices and Vestry to direct where vestries, and a majority of Justices	---	2
Courts.	where courts, shall be held	---	---
<i>Fees.</i>			
	Such part of the fee law of 1711, as relates to fees on entering and clearing vessels, &c. repealed	23	1
Collector.	Collector's fees	---	2
Secretary.	Secretary's fees	---	---
Naval Officer.	Naval-Officer's fees	---	---
Rec. General.	Receiver-General's fees	---	---
L. & T. Surv.	Land and Tide Surveyor's fees	---	---
W. & Searc.	Waiter and Searcher's fees	---	---
Comptroller.	Comptroller's fees	---	3
Table of fees.	Printed copies of the foregoing fees to be set up in some public place in each of the offices	---	4
	Penalty on neglect	---	---
Office hours.	Office hours	---	---
	Officers demanding or taking greater fees, to forfeit 50/.	---	---
Clerks.	Any clerk or deputy offending in like manner, to forfeit 50/ and be disabled from acting as such, in any of the offices	---	---
	Penalty on officers employing such clerks	---	---
Forts.	Commanding officers of forts, upon ill-grounded and frivolous pretences, stopping foreign vessels, &c. to forfeit 200/.	---	5
	Forfeitures, how to be recovered	---	6
Governor's Secretary.	Governor's Secretary's fees	41	1
	No officer to be compelled to pay fees twice for the same rank	---	2
Table of fees.	Secretary to set up a table of fees in his office, under penalty of 100/.	---	3
	Secretary taking greater fees than herein prescribed, to forfeit 500/.	---	4
Masters in Chancery.	Establishment of fees to be taken by Masters in Chancery	31	1
	Masters taking greater or other fees than are allowed by this act, to forfeit 500/ and to be incapacitated to bear said office	---	2
Commissions.	No commissions to be allowed hereafter, to Masters on sales of estates under decrees	---	3
	So much of any former acts as relates to the fees of Masters, repealed	---	4
Office hours.	Masters to attend business at their offices, from 9 to 12 in the forenoon	---	5

Table

Table of fees.	Table of Masters fees to be affixed in the Register's office, under the penalty of 50/	Act	Clause
	Matter's bill to be taxed by the Register	31	6
Register.	Register's fee for the same	---	7
Forfeitures.	Penalties how to be recovered and applied	---	8
		---	9
<i>Saint George's.</i>			
Trustees.	Trustees appointed for carrying this act into execution	39	1
	Monies arising from the sale of lands directed by this act, to be applied in the purchase of negroes	---	2
Rector.	Until such sale takes place, trustees to hold the lands for the use of the Rector; and, until such purchase of slaves is made, trustees to invest the monies arising from sale of lands in securities bearing interest, for the use of the Rector	---	3, 4
	Purchasers of such lands secured in the possession of them, &c.	---	5
	Trustees to be answerable for such monies only, as they may receive respectively	---	6
	The remaining 300 acres also vested in trustees, for the use of the Rector	---	7
<i>Highways.</i>			
	Dimensions of the highways	1	1
Cross-roads.	Cross roads of communication may be laid out from one part of the island to another	---	2
Tax.	Justices and Vestrymen empowered to lay a tax for keeping the roads in repair, and for paying the hire of a white man	---	3
Jury.	In cases where it is necessary to make a road through lands under cultivation, the magistrates are to swear the jury who value such lands	---	4
	Clauses of a former act, respecting the highways, repealed	---	5
Surveyors.	Justices and Vestry to appoint surveyors, who are to be sworn	---	6
	Persons exempted from serving as surveyors	---	---
	Surveyors, under penalty, to deliver to the clerk of the Vestry, yearly, an account, on oath, of all their proceedings; and pay over all monies received	---	7
	The penalty on surveyors not delivering such accounts and paying over such monies, to be levied by warrant of distress	---	8
	Surveyors empowered to hire negroes to lop and cut down bushes grown over the roads, if the proprietors thereof neglect it after notice given, who are to pay for the same; but in case of refusal, the same is to be levied by distress, &c.	---	9
Nuisances.	Surveyors to clear away the nuisances on their own grounds, adjoining roads, within one month after notice given them, under penalty	---	10
Slaves.	Surveyors to complain to a magistrate of such persons who neglect or refuse to send their allotments of slaves, tools, &c. under penalty	---	11
	Magistrate, within ten days after such complaint, to issue his warrant to summon the party offending before him, and to hear and determine the said complaint, under penalty	---	12
	Sentence or judgment of the magistrate to be conclusive	---	13
Surveyors.	Surveyors of highways to be sole judges of the ability of slaves sent to work, who are to return such as they think not sufficiently able; and in case others are not sent in their stead, the owner to be charged for so many deficient	---	14
Default.	Notwithstanding the default may arise by the neglect of the overseer, in not sending slaves, &c. the levy to be made on the property of the proprietor; the expenses of such default to be deducted out of the overseer's wages	---	15, 16



		Ac	Clause
Waywardens.	Waywardens to cause the boughs of trees, &c. that hang over highways to be lopped, and throw the cuttings into the lands of the proprietor	1	13
	No persons to be excused from sending negroes, &c. upon frivolous pretences	—	14
	Waywardens dying, or going off the island, the Justices to summon a Vestry within thirty days, who are to appoint others in their stead	—	15
Forfeitures.	All forfeitures and penalties to be applied towards repairing the roads for which such allotments were originally intended	—	16
	Waywardens who have received forfeitures, &c. to keep an exact account of the expenditure thereof, and render the same to the Vestry, under the penalty of 20 <i>l</i> .	—	17
Constables.	Penalty on constables neglecting to execute writs. Constables to give five days notice before they expose distresses to sale. Persons bringing actions of replevin against constables, and nonsuited, to pay triple costs	—	18
	Proceedings of Justices, Waywardens, &c. not to be removed by <i>certiorari</i> , &c.	—	19
<i>Certiorari</i> .	Persons, before they obtain writs of <i>certiorari</i> , shall enter into security in the sum of 50 <i>l</i> . to carry on to effect such <i>certiorari</i>	—	20
	Where the proceedings of Justices, &c. are removed by <i>certiorari</i> , and confirmed, and judgment given for the defendant, the plaintiff to pay triple costs	—	21
Provost-Marshal.	Provost-Marshal not to levy on negroes, &c. actually employed on the highways, under the penalty of 100 <i>l</i> .	—	22
Justices.	Justices authorized, if they find it necessary, to hire proper persons to attend the negroes employed on the highways	—	23
	Penalty on Justices, &c. for neglect of duty herein	—	24
	Large timbers not to be dragged on highways, but to be put on wheels or trucks, under the penalty of 10 <i>l</i> . How such penalty is to be recovered	—	25
	Penalties and forfeitures not exceeding 50 <i>l</i> . to be recovered in a summary manner; above 50 <i>l</i> . in the Supreme Court of Judicature	—	26
King's roads.	All roads made at the public expense to be deemed King's roads, and to be repaired in the same manner as other roads	—	27
Nuisances.	Penalty on persons laying nuisances on highways	45	1
	Slaves detected laying nuisances on highways, to be put into the work-house, and there detained till their owners pay the penalty	—	2
	Overseers of workhouses to remove nuisances, under penalty	—	3
<i>Horses.</i>			
Commons.	No stoned horses under 14 hands, to run at large on commons, &c. under pain of forfeiture of the same	13	1
	Any person may seize such horses, in order to be measured before a Justice; and, if under size, to be forfeited to the use of such person; or to be castrated and delivered to the owner, on his paying 10 <i>l</i> . to the party seizing	—	2
Infectious disorders.	No horse, &c. infected with scab, mange, or farcy, to be suffered to run at large on commons, &c. under the penalty of 50 <i>l</i> .	—	3
	Persons knowingly turning glandered horses, &c. into any common, &c. to forfeit 200 <i>l</i> . or suffer one year's imprisonment	—	4
	Informant to carry such horse, &c. before a magistrate, who shall order the beast to be destroyed	—	5
Purses.	Public purses to be run for in the respective counties and parishes at the times specified	—	6
	No horse allowed to win more than one public purse, except in one and the same year	—	—
Races.	Governor to appoint judges of such races, &c.	—	—
Forfeitures.	Penalties how to be recovered and applied	—	—

<i>Saint Jago de la Vega.</i>		Act	Clause
Licenses, Retailers.	No person to retail rum, &c. without having a license	32	1
	Retailers of rum, &c. must enter into sufficient bond, to keep good order and rule in their shop	—	2
	Rum, &c. not to be sold before 6 o'clock in the morning, nor after 6 o'clock in the evening	—	3
	Licenses to be granted for one year only	—	4
	Penalty on persons selling rum, &c. without a license	—	5
	Licensed retailers to have their names over their door, &c.	—	—
	Licenses not to be granted, but to such as have resided in the parish twelve months	—	6
Public offices.	No rum, &c. to be retailed within 100 yards of the Public Offices	—	7
Fires.	Persons selling rum in any quantity under 20 gallons, to be deemed retailers	—	8
	Housekeepers to provide leather buckets, and have able negroes in readiness to assist in extinguishing fires	—	9
Engines.	Churchwardens of St. Catherine to provide, and keep in good repair, three engines for extinguishing of fires, under penalty of 10% each	—	10
	Justices, &c. empowered to appoint proper persons as captains or managers of each such engine, &c.	—	11
	Rewards to captains of engines who shall first arrive at fires	—	12
Firewardens.	Justices and Vestry to assess the inhabitants, in order to defray the expense of engines, repairs, &c.	—	13
	Justices, &c. annually to appoint five firewardens	—	14
	Penalty on persons refusing to accept the office of firewarden	—	15
	Firewardens to have the sole direction in extinguishing of fires	—	16
Process.	Persons assisting in extinguishing of fires, to be exempted from all judicial process	—	17
Pilferage.	Firewardens and constables to attend at all fires, in order to assist in extinguishing the same, and preventing pilferage	—	18
	Firewardens required from time to time to superintend the working of the engines, and to examine the buckets	—	19
Houses.	Firewardens empowered to pull down or blow up houses	—	20
Slaves.	Slaves found in the streets betwixt the hours of ten at night and five in the morning, how to be dealt with	—	21
	Workhouse negroes to cleanse, and keep in repair, the streets, &c. of St. Jago de la Vega	—	22
Putrid provisions.	Persons exposing for sale putrid or rancid provisions, to forfeit 20%	—	23
	Justices to order such putrid provisions to be destroyed	—	24
Slaves.	Slaves found riding or driving furiously through the streets any horse, &c. how to be dealt with	—	25
People of colour.	Free people of colour guilty of riding or driving furiously through the streets any horse, &c. how punishable	—	—
Forfeitures.	Penalties under this act, how to be recovered and applied	—	26
	Actions against any person, for any thing done in pursuance of this act, to be brought within six months after the fact committed; and defendant may give this act in evidence, and plead the general issue, &c.	—	27
	If the plaintiff shall be non-suited, defendant to recover triple costs	—	—
Trustees.	Trustees for carrying this act into execution	36	1
	Trustees to order and keep in repair the road from St. Jago de la Vega, to the junction of the May-day Hill road, and to erect a toll-gate or toll-gates. The tolls	—	—
Toll.	Carriages employed in the actual service of the Trustees not to be charged with the toll	—	—
Carriages.	Monies arising by the toll, to be laid out in keeping the road in repair	—	—
Repairs.			

Trustees



		Act	Clause
Repairs.	Trustees empowered to levy the toll upon persons refusing to pay the same	36	1
Green-Pond.	The tolls so levied, to be applied in mending the road	---	2
	Trustees to erect a toll-gate at Green-Pond	---	3
	Persons owning lands adjoining the road, willingly suffering any person to elude payment of the toll, and the person so eluding the same, how punishable	---	4
Overseers.	Trustees to appoint overseers of the road, and collectors of the toll; and to remove them, if they think fit, and appoint others	---	5
Collectors.	Persons authorised to take materials for the road, from any common savanna	---	---
Savannas.	In laying out the road, the Trustees are not to pass through cultivated lands; but, in that case, a jury is to be summoned, to value such lands, and the amount to be paid out of the toll	---	---
	Owners of such land complaining of the Trustees, how the same is to be conducted and decided	---	---
Receivers.	Collectors and receivers empowered to demand and receive the toll, and to have all the before-mentioned remedies; and to be accountable to the Trustees	---	6
Disputes.	In case disputes arise between the Trustees and the officers by them appointed, how the same are to be decided	---	7
	Trustees authorised to compound with the possessors of land, situate near the toll, for yearly or half-yearly sums	---	8
<i>Saint James's.</i>			
Wains, &c.	From March 1, 1790, no wain, &c. for the carriage of goods, allowed to work or pass, but with wheels at least six inches broad in the fellyes; except, &c.	51	1
Wheels.	Wains, &c. working with wheels of a lesser breadth may be seized, and, on due proof, condemned to be sold	---	---
	Monies arising from such sales, how to be applied	---	---
<i>Juries.</i>			
Special Juries.	All special Juries to be taken from the general panel, and to be struck off in the same manner as has hitherto been used, from the body at large of the Jurors	29	1
Supreme Court.	Supreme Court not to grant special Juries, unless cause is shewn, by affidavit or otherwise, that a special Jury is necessary	---	2
<i>Kingston.</i>			
Kingston Town-Guard.	Nightly Watch to be in future called, " <i>The Town-Guard of Kingston</i> ," and the Justices and Vestry authorised to issue all such orders and regulations respecting the same, as the service may require	14	1
Justices.	All orders, &c. to be signed by the Justices and Vestry	---	2
Watchmen.	Duty of the constables and watchmen	---	---
Chief-Const.	Chief constable, &c. to suspend watchmen for neglect of duty	---	---
	Penalty on watchmen, &c. for neglect of duty	---	3
Malefactors.	To carry malefactors, &c. before a Justice of the Peace	---	4
Forfeitures.	Penalties how to be levied and applied	---	5
	Watchmen indemnified	---	6
Transient Traders.	Who are to be deemed Transient Traders, and how they are to be assessed	20	1
	Form of an oath to be taken, in order to obtain redress	---	---
	Transient Traders, consigning their cargoes to any inhabitant paying taxes, not to be assessed, on taking an oath	---	---
Consignee.	Form of an oath to be taken by the consignee	---	---
Perjury.	Persons swearing falsely, how punishable	---	---

Transient

		Act	Clause
Poor.	Transient Traders refusing to pay said taxes, their goods to be levied on, &c.	20	2
Repairs.	Certain lands, &c. vested in the Justices and Vestry, for the use of the poor Justices, &c. empowered to levy a tax on the inhabitants, for repairs of said tenements	26	1
Corporation.	Justices and Vestry made a Body Corporate, for certain purposes	—	2
Suits.	Justices and Vestry may sue and be sued, &c. on account of such lands and tenements	—	3
	Rents, &c. to be applied to the use of the poor	—	4
		—	5
<i>Manumissions.</i>			
	Slaves charged with committing crimes cannot avail themselves, on their trial, of manumissions granted them after the offence, but shall be tried in the form in which slaves are tried; provided such charge is brought within three months after the commission of such crime	8	2
<i>Maroons.</i>			
	Maroon negroes disobeying the orders of the Commander in Chief, &c. how punishable	34	1
Felony.	The Governor or Commander in Chief to grant commissions to the white men and negroes resident in the negro towns, for the trial of disorderly negroes; but if guilty of felony, to be tried by two Justices and five freeholders	—	2
	Maroon negroes absenting themselves from their towns without leave, or for a longer time than allowed them by their commanding officers, to lose their freedom, and be transported off the island	—	3
Inveigling.	Maroons convicted of enticing slaves to run away from their owners, to forfeit their freedom, and be transported	—	4
Slaves.	Maroons not to purchase slaves, under penalty of forfeiting them. Persons selling slaves to Maroons, or to any other person in trust for them, or persons buying slaves in trust for Maroons, to forfeit 100 <i>l.</i>	—	5
Superintendents.	Maroon parties to receive orders in writing from the Superintendent, specifying at whose request they are fitted out. No party to be ordered to remain out longer than twenty days	—	6
Rewards.	Rewards allowed Maroons for taking up runaway slaves	—	7
	Demands for hire, how recoverable by Maroons	—	8
	Persons wantonly beating Maroons, how punishable	—	9
Returns.	Superintendents to make a return, on oath, once every three months, to the Commander in Chief, of the number of Maroon negroes in their respective towns	—	10
Repairs.	Maroon negroes, once every year, to repair the roads leading to their respective towns; for which they are to be paid by the Receiver-General a sum not exceeding 10 <i>l.</i> for each town	—	11
Parties.	Establishment of pay to the officers and men of each party, while on actual duty. Parties to consist of no more than six men, including officers, except on particular occasions	—	12
	This act to be read and explained in each of the Maroon towns once every three months, by the white men residing therein	—	13
<i>Martial Law.</i>			
Writs of arrest, &c.	Creditors empowered, notwithstanding Martial Law, to sue out and execute writs of arrest, &c. against indebted persons intending to depart the island	18	1
Judges.	Chief-Justice, Judges, and Justices of the Peace, authorised to act in their several stations in all criminal matters, during Martial Law	—	2
Coroners.	Coroners empowered to execute their office during Martial Law	—	—

Chief.



		Art.	Clause
Forcible entry.	Chief-Justice, &c. empowered to act in cases of forcible entry and detainer; and the Provost-Marshal to execute all process, in as full a manner during Martial Law, as if the same was not in force	18	3
Process.			4
Landlords.	Landlords authorised to distrain for rent, during Martial Law		5
	Justices and Vestries, Churchwardens and Surveyors of Highways, authorised to discharge their several duties in the time of Martial Law		6
Constables.	Constables to distrain for taxes during Martial Law		
	Constables distraining, to give security for restitution, &c.		
<i>Militia.</i>			
	What persons are to serve in the Militia	21	1
Clerks of Vestry.	Clerks of Vestry to send a list to the commanding officers, of the persons given in to save deficiency, under the penalty of 20 <i>l</i> .		2
Deficiency.	Commissions for appointing gunners, &c. to nominal forts, declared void; and the several persons holding such commissions obliged to enlist		3
Gunners.	Who entitled to the commissions of aids du camp, or staff-officers		4
Commissions.	Foot soldiers to appear properly accoutred on field days, &c.		5
Foot soldiers.	Uniforms and accoutrements		6
Accoutrements.	Troopers, how to be accoutred, &c.		7
Troopers.	Corps of artillery to do duty with the regiment or battalion to which they belong		8
Artillery.	No private to remove himself from the horse to the foot, or from the foot to the horse, without leave		9
Freeholders.	Commissions in the Militia not to be granted to any but freeholders, &c.		10
	Commanding officers to form the flank companies of such men as they think proper		11
Resignations.	No officer to resign his commission without leave, or sufficient cause		12
Brevets.	Officers of brevet rank not to take commissions inferior to their former regimental rank		13
Reformades.	Reformed officers to transmit to the Commander in Chief their respective names, &c.		14
	Upon commissions being granted to reformed officers, no other officer of the regiment shall, on that pretence, resign his commission		15
	Commanding officers to appoint a place for exercising		16
Exercises.	Monthly exercises enjoined under a penalty		
Returns.	Captains, &c. to make a field-return to the Colonel, who is to transmit the same to the Commander in Chief		17
General Must- ters.	Commanding officers to order a general muster every three months, under the penalty of 100 <i>l</i> .		18
	And to fix upon such places for that purpose, as he or they shall judge to be most proper		19
	Not to be liable to any action for the same, if such grounds be not inclosed or cultivated		
Process.	Officers and privates protected in their persons and property when on duty		20
Absentees.	Privates absenting themselves from duty, how punishable		21
	Officers absenting themselves from duty, how punishable		22
Arms.	Privates not keeping their arms, &c. in proper order, how to be punished		23
Trials.	Manner of levying fines, and of conducting trials for offences against this act		24
Courts-mar- tial.	Who are to compose general and regimental courts-martial		25
	Penalty on officers neglecting to attend courts-martial		26
	The person to be tried by a general court-martial to have five days notice; and, by a regimental, two days: Having such notice, and not attending, how to be punished		27
	Members of all courts-martial to take an oath		28

Persons

		Act	Clause
Perjury.	Persons giving evidence at courts-martial to be sworn; and, taking a false oath, how punishable	21	29
Judgment.	No judgment to be given without the concurrence of the majority	—	30
	The judgment of regimental courts-martial to be conclusive	—	—
Punishment.	Disobedience thereto, how punishable	—	—
	Judgments of general courts-martial to be conclusive	—	31
	Disobedience thereto, how punishable	—	—
Marshal.	Commanding officer of each battalion to appoint a marshal	—	32
Officers.	Officers removing from one parish to another, how to proceed	—	33
Counc. of war.	Who shall compose future councils of war	—	34
Assembly.	In case the Assembly shall be dissolved, &c. the late members to act in a council of war	—	35
Martial Law.	Martial law not to be imposed but by advice of a council of war	—	36
Commander in Chief.	Commander in Chief empowered to remove the Militia as he shall think proper	—	37
Impress.	Colonels, &c. empowered to procure refreshments, and impress wains, &c. giving certificates to the owners	—	—
	And not liable to prosecutions for the same	—	38
Horse.	Duty of the horse to carry expresses	—	39
Dispatches.	Penalty on persons sending by a trooper any dispatches of a private nature	—	—
Pub. Messeng.	The Public Messenger not to charge troopers with his office messages	—	—
	Offenders against this act in martial law may be tried without previous notice	—	40
	Officers summoned, and refusing to attend courts-martial, to be tried	—	41
Suits.	Persons sued for any thing lawfully done under this act, to plead the general issue, and be allowed common costs, and costs of increase	—	42
Warrants.	Marshal of the regiment to execute warrants	—	43
Fines.	Application of the fines	—	—
Provost-Marshal-General.	Warrants for fines, signed by the Commander in Chief, to be directed to the Provost-Marshal-General	—	44
Adjutants.	Adjutants to keep exact accounts of the receipt and application of fines	—	45
Judge-Advoc.	Judge-Advocate to keep minutes of courts-martial, &c.	—	46

*Montego-Bay.*

Transient Traders.	Who are to be deemed Transient Traders, and how they are to be assessed	47	1
	Form of an oath to be taken to obtain redress	—	—
Consignees.	Transient Traders, consigning their cargoes to any inhabitant paying taxes, not to be assessed on taking an oath	—	—
	Form of an oath to be taken by the consignee	—	—
Perjury.	Persons swearing falsely, how punishable	—	—
Levies.	Transient Traders refusing to pay said taxes, their goods to be levied on, &c.	—	2

*Mortgages.*

Court of Chancery.	Actions brought by mortgagees, and no suit depending in the Court of Chancery for foreclosing or redeeming the mortgaged premises; if the defendants shall, pending such actions, pay to the mortgagee the principal money, &c. and in case of their refusal, by paying the same into court, the mortgage is to be discharged	10	1
Equity of redemption.	Bills filed for compelling payment of monies due on mortgages, &c. and, in default of payment, to foreclose the defendant of his equity of redeeming; the Court, on application by the defendant before the suit be brought to a hearing, may make such order therein as might have been made if the same had been regularly brought to a hearing	—	2
Mortgagees.	Mortgagees in possession obliged, under the penalty of 500 <i>l.</i> to record, upon oath, accounts of the net proceeds of every crop, &c.	—	3



*Mount-Diablo.*

		A.S.	Claufe
Trustees.	Trustees appointed	33	1
Turnpikes.	Trustees to cause gates or turnpikes to be erected	---	---
Tolls.	What tolls are to be paid	---	---
	The monies arising from the tolls to be vested in Trustees, &c.	---	---
Levies.	Trustees may levy the tolls or duties on such persons as neglect or refuse to pay the same	---	---
	Such distress to impound and keep, until payment of the toll or duty, or to sell and dispose thereof	---	---
Repairs.	Toll and duty to be raised and levied, to be by the Trustees applied in mending roads, &c.	---	2
Bye-paths.	Penalty on persons having the care, &c. of lands near the road, suffering any persons to make use of bye-paths, &c.	---	3
	To prevent such abuses, Trustees to erect gates, &c.	---	---
Overseers.	Trustees to appoint overseers and surveyors of the road, and receivers and collectors of the tolls, &c.	---	4
	Trustees empowered to make use of materials for the road upon uninclosed ground	---	---
Jury.	If any trespass happens upon the lands of any person, such lands to be valued by a Jury, and paid for out of the toll-money	---	---
Trespasses.	Complaints of trespass to be heard and determined either by Justices in open sessions, or by two or more Justices, &c.	---	---
Collectors.	Collectors appointed by the Trustees authorised to demand and receive the toll, and to be accountable for the same to the Trustees	---	5
Disputes.	Disputes arising between the collectors of the toll and the Trustees concerning the toll-money, &c. how to be decided	---	6
	Owners of land situated near the toll, allowed to compound their toll-money for an annual sum	---	7
	This act to continue in force nine years	---	8

*Nuisances.*

Highways.	Penalty on persons laying nuisances on highways	45	1
Slaves.	Slaves detected laying nuisances on highways, to be put into the workhouse, and there detained till their owners pay the penalty	---	2
Workhouses.	Overseers of workhouses to remove nuisances, under penalty	---	3

*Pounds.*

Strays.	Justices, &c. empowered to cause pounds to be made, for keeping of strays, and to provide proper persons to take care of the same. Pound-keepers to pay to persons delivering strays at the rate of 1s. 3d. per mile	2	1
Pound-keepers.	The inhabitants of the several parishes to be assessed for the expenses of making such pounds, and for paying a salary to the pound-keepers. Pound-keepers to be displaced by the Justices, and others appointed, as they shall think proper	---	2
Forfeitures.	Persons keeping strays in their possession more than forty-eight hours, and not sending them to the nearest pound, to forfeit 5l.	---	3
Mile-money.	Pound-keepers refusing to pay the mile-money, shall forfeit 5l.	---	4
	Pound-keepers to keep books for entering the strays, with their marks, &c. to be free for the inspection of persons requiring the same	---	---
	Pound-keepers to provide good food and water for strays	---	5
	Persons claiming strays, to pay to the pound-keepers the mile-money, and also 1s. 3d. for each day such stray has been in the pound	---	6
	Pound-keepers hiring or employing strays to forfeit 5l. for each	---	7

Slaves

		Act	Clause
Slaves.	Slaves bringing strays to pound-keepers, and producing a certificate thereof from their owners, &c. to be paid mile-money as directed by this act	2	8
Sales.	Strays not claimed within three months to be sold at public outcry, to defray expenses; the overplus, if any, to be delivered over to the Church-wardens, for the use of the poor of the parish	---	9
	Penalty on pound-keepers not residing at or near the pound	---	10
Distempered beasts.	Distempered beasts not to be received into pounds	---	---
	Penalties how to be recovered and applied	---	11
Pasturage.	Pound-keepers refusing to pay the lawful charges, for pasturage, &c. to persons having strays in possession, such person to proceed in the same manner as pound-keepers can do	---	12
<i>Process.</i>			
Deputy-Mar- shals.	Deputy-Marshals to make returns of writs in due time to the Provoost-Marshal, and to express in writing, on the back thereof, their particular reasons for making such returns. Form of the reasons to be given in Deputy-Marshal's reasons for not executing writs to be filed, and kept as public records. Deputy-Marshals to make oath to the Supreme Court, of the truth of the reasons by them given in for not executing writs	12	1
Provoost-Mar- shal.	Provoost-Marshal to keep a register of all actions, &c. for the inspection of the parties	---	---
Fees.	Provoost-Marshal's fees for executing writs	---	2
	Penalty on deputies for gross negligence, &c. in the execution of their duty	---	3
Precepts.	Provoost-Marshal to issue precepts upon writs of execution, to be served on defendants	---	4
		---	5
Revenue.	Provoost-Marshal to deliver to the Attorney-General and Receiver-General, at every Supreme Court, lists of all actions, and fines, &c. received by him, in which the revenue is anywise interested	---	6
Prior writs.	When a levy is made, the Provoost-Marshal to make return of the amount of such levy, also to specify prior writs, &c.	---	7
Satisfaction.	Persons receiving payment of debts or damages mentioned in writs of <i>venditioni</i> , to enter satisfaction in the books of the Provoost-Marshal	---	---
Jurors.	Justices, &c. in each parish, to cause lists to be made out annually, of all persons residing therein, in order that such as are not disqualified may be returned to serve as jurors. Such lists to be transmitted to the Chief Justice, who is to direct the Provoost-Marshal to form his panels therefrom	---	8
	Such lists to distinguish indentured servants and minors	---	9
Exemptions.	What persons exempted from serving as jurors	---	10
Special Juries.	Supreme Court, on motion, authorised to appoint special juries, for trial of issues in said court	---	11
	Expenses attending trials by special jury to be paid by the party applying for the same	---	12
	Each jurymen on such trial to be allowed 1 <i>l.</i> 12 <i>s.</i> 6 <i>d.</i>	---	13
Judges.	Judges of the Supreme Court authorised to grant commissions for the examination of witnesses <i>de bene esse</i> , directed to such persons as they shall think fit	---	14
	A former act repealed	---	15
Witnesses.	Judges of the Supreme Court, in vacation, to take the examination of witnesses going off the island, provided affidavit is made, that the person so intended to be examined is a material witness: the other party to be served with a notice in writing, at least forty-eight hours before such examination, that the party may have an opportunity to cross-examine	---	16
Forfeiture.	Persons not attending such judge, or refusing to be examined, to forfeit 100 <i>l.</i>	---	17
Perjury.	Persons convicted of wilful and corrupt perjury, in any examination taken upon oath under this act, how punishable	---	18



		A <sup>c</sup>	Clause
Writs of Partition.	In writs of partition, the Provost-Marshall-General is empowered to appoint a deputy to act in his stead, in the presence of a Justice or Justices of the Peace	12	19
	Transgressors against this act to forfeit 50 <i>l</i> . for each offence	—	20
Crown witnesses.	Crown witnesses, confined in gaol for want of bail to appear and give evidence, to be allowed 5 <i>s</i> . per day	—	21
<i>Quit-Rents.</i>			
	Several clauses of a former act repealed	42	1
Owners of lands.	Owners of lands yearly to give in, upon oath, in writing, an exact account of all the lands they possess	—	2
Attornies.	Persons holding lands in the right of others, also to give in, upon oath, an account of all the lands they so hold or possess	—	3
Arrears.	Rate of quit-rents. Owners, &c. of lands for which quit-rents are to be paid, are at liberty to surrender the same, in lieu of arrears	—	4
Surrendered lands.	Persons applying for grants of surrendered lands, to take an oath	—	5
Receiver General.	Justices and Vestry to cause all accounts of lands given in, to be transcribed in a book, and a copy thereof transmitted to the Receiver-General	—	6
	Owners, &c. of lands for which quit-rents are to be paid, neglecting to give in an account, on oath, at such time as is directed by this act, the Justices and Vestry may tax or assess them according to their best information	—	7
Clerks of Vestry.	Clerks of Vestry to deliver a roll and warrant to the Collecting Constable, to enable him to gather in the several sums assessed therein; who is to pay the same over to the Receiver-General, retaining to himself 1 <i>s</i> . in the pound. Collecting Constables empowered to distrain, and sell such distresses, giving five days notice of such sale. Slaves not to be distrained on, where any other distress can be had	—	8
Distress.	Collecting Constables to enter into bond for his collecting and paying over the several sums of money in the said quit-rent roll mentioned	—	9
Collecting Constables.	Receiver-General to make out a list of all persons in arrear for quit-rents, with the sums they severally stand charged with, to be published in the <i>Royal Gazette</i>	—	10
Arrears.	Persons in arrear for quit-rents, giving bond to the Receiver-General for the amount, bearing interest at 6 <i>per cent</i> . payable in twelve months, to obtain receipts for quit-rents: Persons paying such arrears in cash, to be allowed 15 <i>per cent</i> . discount	—	11
Discount.	Receiver-General to transmit lists of persons in arrear for quit-rents in the several parishes, to the Clerks of Vestry; who are to deliver over attested copies thereof to the Collecting Constables, and annex thereto a roll, to be signed by a magistrate, to enable him to gather in the same	—	12
Collecting Constables.	Collecting Constables empowered to distrain for nonpayment	—	—
Security.	Collecting Constables to find security for their intromissions	—	13
	Collecting Constables, for neglect, &c. of duty, how to be dealt with	—	14
Perjury.	Persons guilty of wilful perjury, how to be punished	—	15
	Justices, &c. neglecting or refusing to do their duty herein, to forfeit 100 <i>l</i> .	—	16
Forfeitures.	Penalties how to be recovered and applied	—	—
<i>Rebellion.</i>			
Parties.	The Commander in Chief, or any field-officer of the militia, empowered to raise and fit out parties for the immediate suppressing of rebellions	28	1
Rebellious negroes killed.	Rebellious negroes, &c. killed by parties, are to be viewed by the officers, who are to certify their age, sex, &c. on oath. Their heads to be brought to the next settlement, for the satisfaction of the public; otherwise the parties not to be entitled to any reward	—	2

Rewards

		Act	Clause
Rewards.	Rewards allowed parties	28	2, 3
Trial.	Negroes, &c. taken in rebellion, to be tried by two Justices and five free-holders	—	4
Militia.	Officers of the militia empowered to draft men out of their regiments or troops, to join parties	—	5
Regulars.	Commander in Chief to do the like from the regulars	—	6
Baggage negroes.	Officers of the militia empowered to raise a sufficient number of slaves, for arms, baggage, &c. to be sent with parties	—	7
	Officers to give notice to each estate of the number of shot and baggage negroes such estate is to furnish	—	8
Impress.	Persons refusing to send their proportion, to forfeit 20 <i>l</i> . The commanding officer to impress the number of slaves wanted; but no chief boiler, head driver or tradesman may be impressed	—	9
Pay.	Rate of pay for such officers and privates	—	10
Provisions.	Commander in Chief empowered to appoint persons to supply parties with provisions, which is to be paid for by the Receiver-General	—	11
Impress.	Commanding officers empowered to impress wains, cattle, &c. giving certificates for the same, to the end that the owners, &c. may receive reasonable satisfaction for the hire, &c.	—	12
Indemnification.	Slaves killed or maimed in such parties, the owners to be indemnified	—	13
Arms.	Receiver-General required to procure sufficient arms for the parties, if necessary	—	14
Misdemeanors.	How officers and privates are to be tried for misdemeanors	—	15
	Persons drafted by the Commander in Chief, &c. and refusing or neglecting to repair to their colours, &c. how to be tried	—	16
Arrests.	Persons employed in such parties are protected from arrests	—	17
	Commanding officers and Justices of the Peace, neglecting to do their duty herein, to forfeit 50 <i>l</i> .	—	18
Forfeitures.	Fines, how to be recovered and applied	—	19
<i>Rents.</i>			
Leases.	Tenants in possession of lands, slaves, &c. withholding the same from the proprietor after the determination of their lease, to pay double rent, &c.	7	1
Landlords.	Landlords to recover rent from tenants, although there be no written agreement	—	2
Tenants for life.	Persons holding lands, &c. under tenants for life, how to pay the arrears of rent if the landlord dies	—	3
	Tenants notifying to landlords their intention of leaving the premises by them holden, and afterwards violently withholding the same, to pay double rent	—	4
<i>Rio-Buena.</i>			
Trustees.	Trustees appointed	48	1
Turnpikes.	Trustees to cause gates or turnpikes to be erected	—	—
Tolls.	What tolls are to be paid, and how to be applied	—	—
Levies.	Trustees empowered to levy the toll on persons refusing to pay the same	—	—
Collectors.	Collectors appointed by the Trustees authorized to receive the toll, and to be accountable for the same to the Trustees	—	2
<i>Slaves.</i>			
Free negroes.	No person to carry off the island free negroes, &c. without a certificate from the Custos or Chief Magistrate, under the penalty of 500 <i>l</i> .	16	1
Masters of vessels.	Penalty on masters, &c. of vessels, carrying slaves off the island, although	—	unknown



		16	Clause
	unknown to them at their departure, unless they return them to their owners	16	2
Felony.	Masters, &c. of vessels knowingly taking off the island slaves, to be adjudged guilty of felony, and suffer death	—	3
Informers.	Penalties incurred by this act to be to the informer	—	4
Posterior manumissions.	Slaves charged with committing crimes cannot avail themselves, on their trial, of manumissions granted them after the offence, but shall be tried in the form in which slaves are tried; provided such charge is brought within three months after the commission of such crime	8	2
Rebellion.	In case of a rebellion, the officers of the militia empowered to raise a sufficient number of slaves, for arms, baggage, &c.	28	7
Maroons.	Maroons convicted of enticing slaves to run away from their owners, to forfeit their freedom, and be transported	34	4
	Maroons not to purchase slaves, under penalty of forfeiting them. Persons selling slaves to Maroons, or to any other person in trust for them, or persons buying slaves in trust for Maroons, to forfeit 100 <i>l.</i>	—	5
Provision-grounds.	Owners or possessors of plantations, &c. to allot a sufficient quantity of land to each slave thereon, and allow them sufficient time to work the same, in order to provide them with provisions, and also to plant one acre for every four slaves, in ground-provisions, over and above the grounds aforesaid	38	2
Provisions.	Where lands are not fit for the above purposes, then owners, &c. to make ample provision for their slaves in some other way	—	3
Disabled slaves.	Slaves not to be turned away by their owners, on account of age, sickness, &c. but to be furnished with the necessaries of life, and not suffered to go about and be burthensome to others, under penalty of 10 <i>l.</i>	—	4
Cloathing.	Slaves to be decently cloathed by their owners, &c. once every year	—	5
Instruction.	Owners of slaves to endeavour to instruct them in the principles of the Christian religion, and cause to be baptised such of them as they can make sensible of the Christian faith	—	6
Giving-in.	Owners, &c. at the time of their giving in an account of their slaves, &c. to the Justices and Vestrymen, shall also give in an account of the quantity of land in ground provisions, over and above the negro-grounds; and also to give in, on oath, an account of the cloathing actually served to each slave	—	7
Runaways.	Slaves taking up runaways, or such as may have committed theft, &c. or informing against persons harbouring them, to be rewarded	—	8
Rebellion.	Slaves killing or apprehending slaves in actual rebellion, how to be rewarded	—	9
Mutilation.	Punishment on persons for wilfully mutilating or dismembering slaves. Such slaves, in certain cases, to be declared free, and allowed 10 <i>l.</i> per annum	—	10
Justices.	Justices of the Peace, on information that slaves are mutilated and confined, are to issue their warrants to bring such slaves before them	—	11
Felony.	Persons wilfully killing slaves, to suffer death	—	12
	Persons wantonly or cruelly beating slaves, or confining them without sufficient support, how punishable	—	13
Punishments.	Owners, &c. of slaves restrained in punishing arbitrarily	—	14
Disabled negroes.	Justices and Vestry to provide for the maintenance, &c. of disabled negroes, &c. by a tax	—	15
Tickets.	No slave to travel without a ticket. Penalty on owners, &c. of slaves neglecting to give such ticket	—	16
	Slaves travelling without a ticket, how punishable. Penalty on Justices neglecting their duty herein	—	—
Holidays.	Slaves to be allowed holidays. Penalty on persons allowing their slaves any holidays other than those herein directed	—	17
	Slaves to be allowed one day in every fortnight (exclusive of Sundays) to cultivate their own grounds, except during the time of crop	—	18

Meals.	Slaves allowed half an hour for breakfast, and two hours for dinner	18	Clause
Assemblies.	Penalty on such as suffer unlawful assemblies of slaves on their respective properties	38	19
	Officers, civil or military, to enter any plantation, &c. to suppress unlawful assemblies of slaves	—	20
Overseers.	Overseers, &c. who suffer such assemblies to be imprisoned	—	21
Fire-arms.	Slaves not allowed to have fire-arms, &c. in their custody	—	22
	Slaves offering violence to any white person, how punishable	—	23
	Slaves harbouring runaways, how to be dealt with	—	24
Runaways.	Slaves found at the distance of eight miles from the plantation, &c. to which they belong, without a ticket, to be deemed runaways	—	25
Rewards.	Persons apprehending runaway slaves, how to be rewarded	—	26
	How slaves, apprehended as runaways, are to be disposed of	—	27
Tickets.	Tickets given to slaves to be for no longer time than a kalendar month	—	28
Forfeitures.	Penalty on persons not giving in an account of their runaways to the Custos, &c. of their respective parishes; and on such Custos, &c. for not transmitting the same to the Clerk of the Vestry; also on the said Clerk, for not entering the same in a book to be kept for that purpose	—	29
Births.	Owners, &c. to give in to Vestry, annually, an account of all the births and deaths of slaves on their properties	—	30
Deaths.	Overseers neglecting to give in as aforesaid, the owner to stop the penalty incurred thereby out of his wages	—	31
Plantation surgeons.	Surgeons on plantations, &c. to give in to Vestry on account of such slaves as may die, expressing the nature and causes thereof. Overseers to be allowed 20s for every slave born on their settlement; and alive at the time of giving in, to be deducted from the taxes then due	—	32
Overseers.	Penalty on free negroes, &c. granting false tickets to slaves	—	33
Forgery.	White persons granting false tickets, how punishable	—	34
Advertising.	Keepers of gaols or workhouses to advertise the names, &c. of all runaways in their custody weekly; and to detain such slaves until they be paid their fees. Gaolers or workhouse-keepers to attest, upon oath, the charges for mile-money, &c.	—	35
Mile-money.	Gaol-keepers, &c. to give daily to every slave confined, a sufficient quantity of provisions	—	36
Provisions.	Runaway slaves remaining in any gaol or workhouse twelve months, how to be disposed of	—	37
Gaol-fees.	Runaways dying in gaols or workhouses within twelve months, their fees to be paid by the public	—	38
Gaol-keepers.	Gaol-keepers not to hire out runaway or other slaves committed to their custody	—	39
	Slaves who have absented themselves from their owners for the space of six months, to be tried and punished at the discretion of two Justices	—	40
Obeah.	Slaves pretending to supernatural power, or convicted practising Obeah, how punishable	—	41
Poison.	Slaves intentionally administering poison to any one, although death may not ensue upon the taking thereof, shall be liable to suffer death	—	42
Fresh meat.	Slaves having in their possession large quantities of fresh meat, unknown to their owners, &c. how punishable	—	43
Horned cattle.	Slaves stealing and killing horned cattle, &c. how punishable	—	44
Trials.	The mode of trial, and manner of punishing negroes, for various crimes and misdemeanors, pointed out	—	45
Slave-Courts.	Jurors returned to serve at Quarter-Sessions, to serve at Slave-Courts, under the penalty of 5 <i>l</i> . Justices, &c. empowered to respite the execution of slaves condemned to die, until the pleasure of the Commander in Chief is known	—	46
Respite.			Not



		Act	Clause
Capital offences.	Not less than three Justices to constitute a court for the trial of slaves for capital offences	38	47
Executions.	Executions to be in a public part of the parish, and with due solemnity	—	48
Perjury.	Slaves giving false evidence, how to be punished	—	49
Free negroes.	Penalty on free negroes, &c. for suffering unlawful assemblies of slaves at their houses, &c.	—	50
Clerk of Peace.	Clerk of the Peace to attend trials of slaves, and record the proceedings	—	51
Valuation.	Five days notice of the trial of slaves to be given to their owners	—	52
	Slaves given up for trial by their owners, &c. and sentenced to die, to be valued by the Justices, &c.	—	53
Receiver-General.	The valued price of slaves brought to trial to be paid by the Receiver-General	—	54
Transportation.	Slaves returning from transportation, to be sent to labour in the workhouse for life	—	55
Inferior offences.	Justices empowered to punish slaves committing inferior offences, at their discretion	—	56
Workhouse-keepers.	Workhouse-keepers to demand and take into their custody all runaways detained in gaols, on paying the gaol-fees, &c.	—	57
	Slaves sentenced to labour in the workhouse for a limited time, their owners to be paid for their labour	—	58
Workhouse.	Magistrates not to commit runaways to gaol, if a workhouse is in the parish	—	59
Horses, &c.	Horses, &c. the property of slaves, to be taken up, and sold by public outcry	—	60
	Penalty on persons suffering slaves to keep horses, &c. on their plantation, &c.	—	61
Giving-in.	Persons giving in an account of stock, &c. to Vestry, to make oath that none of which belongs to any slave	—	62
	Penalty on persons selling or giving horses, &c. to slaves	—	63
	Penalty on owners, &c. for concealing slaves against whom warrants are issued	—	64
	Slaves attempting or conspiring to depart this island, or aiding or abetting others in so doing, how punishable	—	65
Free negroes.	Penalty on free people for assisting slaves in going off the island	—	66
	Penalty on white persons for aiding or abetting slaves to go off the island	—	67
	Persons so offending to be proceeded against, whether the principal be convicted or not	—	68
Holidays.	Overseers not to leave the estates under their care on negro holidays	—	69
Mutilation.	Slaves not to be mutilated or maimed for any offence whatsoever	—	74
Marshals.	Penalty on marshals and constables for wilfully suffering slaves to escape	—	75
Hunting.	Slaves not to hunt with lances, guns, &c. except in the company of their owners, &c. without a permission in writing	—	76
Sales of slaves.	Consignees, &c. of slave cargoes, not to sell such on shipboard, but to provide for that purpose a proper place on shore; and to endeavour not to separate relations	—	77
	Slaves committing crimes previous to the passing of this act, shall be tried and punished as directed by the law then in force	—	78
Negro Stealing.	Persons stealing, or clandestinely sending off the island, or marking, or defacing the marks, of slaves the property of others, to suffer death	37	2
Felony.	Persons stealing slaves, with an intent of sending them off the island, to suffer death	—	3
Inveigling.	Penalty for harbouring or inveigling the slaves of others	—	4
	Persons detaining the slaves of others under pretence of title, how punishable	—	5
Leases.	Persons detaining leased slaves beyond the time agreed on, deemed inveiglers	—	6
Chief Justice.	Chief-Justice, &c. to issue warrants to apprehend offenders and commit them to prison, or admit them to bail, until a trial can be had	—	7
Provost-Marshal.	Upon the commitment or bailment of such offender, the Provost-Marshal to summon a jury to appear within ten days to try the offence	—	8
			Justices

		Art.	Clause
Justices.	Justices to issue a warrant to take into custody the slave or slaves so inveigled, in order to their being produced at the trial	37	9
Witnesses.	Penalty on witnesses refusing or neglecting to attend	—	10
	Provost-Marshal to produce before the Justices and Jury, such persons in his custody as may be deemed material for either party, to be examined	—	11
	Justices may adjourn for want of Jurors, &c. and issue new warrants	—	12
	Chief-Justice, &c. authorized to carry this act into execution	—	13
Fines.	Justices empowered to lay fines on Jurymen not attending	—	14
Clerk of Peace.	Clerk of the Peace to attend such trials, and draw up the charge, &c.	—	15
	Clerk of the Peace to enter on record in his office all affidavits, &c.	—	16
Freeholders.	Judge to enquire into the charge, by the oaths of twelve freeholders, &c.	—	17
	The owners of inveigled slaves, their evidences to be admitted	—	18
	Judges directed how to act in the issue of the trial	—	20
Certiorari.	Proceedings of the Justices upon this act not to be removed by <i>certiorari</i> , nor set aside by the Supreme Court, till after judgment, &c.	—	21
Fees.	Fees of the Clerk of the Peace	—	22
Acquittal.	In case of acquittal, the defendant to be reimbursed his expenses	—	23
Levies.	Fines imposed by this act, how to be levied and applied	—	24, 25
Martial law.	Justices, Jurors, &c. to do their duty herein, notwithstanding martial law	—	27
Process.	Persons attending trials to be protected in their persons	—	28
	Persons maliciously prosecuted, how to be redressed	—	29
Replevins.	Gaol-keepers who shall have actions of replevin brought against them for slaves in their possession, not taken upon <i>venditioni</i> or other process, to advertise the same in the newspapers for four weeks before the replevin is tried	—	30
Mortgaged slaves.	Penalty on persons sending mortgaged slaves, &c. off the island	—	31
	Penalty on slaves hiring themselves without license from their owners, &c.	—	32
Landlords.	Penalty on persons hiring houses, &c. to slaves who are permitted by their owners to employ themselves as they shall think fit, or suffering them to build; also on such owners for granting such permission	—	33
	Justices to order the houses of slaves to be pulled down	—	34
Free negroes.	Free people harbouring or sending off the island runaway slaves, to forfeit their freedom and be transported	—	35
<i>Smuggling.</i>			
Certificates.	Collector and Comptroller to make out certificates of the quantity of all wines, brandy, &c. imported, on which duties are payable, to be signed by them, and transmitted to the Naval Officer; who is to compare them with the cockets and manifest, and, if found right, to sign them, and transmit the same, with the cockets, to the Receiver-General, who is to make out therefrom an account of all the duties, &c. Receiver-General also to sign said certificate, and return the same, with the cocket, to the Collector and Comptroller; who, on receipt thereof, shall file it in the Collector's office, and then grant the usual permit for landing	35	1
Cockets.	The estimation of casks, until the contents can be ascertained by actual guage	—	2
	Goods not to be landed until the duties are paid, under the penalty of forfeiture	—	—
Casks.	Fees allowed the Collector, &c. on duties paid	—	3
Duties.	Shipmasters, &c. within forty-eight hours after their arrival, and before they break bulk, to pay into the hands of the Receiver-General the duties and imposts; otherwise the said Receiver-General to demand the original register of such vessel, and detain the same until all the duties, &c. be paid	—	4, 6
Fees.	Magistrates, &c. on application, to grant warrants for breaking open places where goods liable to seizure may be concealed. Constables, &c. to be aiding in executing such warrants	—	5
Register.		—	Vessels
Warrants.		—	



		Act	Clause
Wines.	Vessels having wine on board, not to be cleared out until the master, &c. produce a duplicate of manifest	35	7
	Goods seized as forfeited, not exceeding in value 100/. to be proceeded on to condemnation in a summary manner: Justices to issue their warrants for the sale of such condemned goods, and their sentence to be final	---	8
Seizures.	Seizures of vessels under 15 tons, and whose cargo shall not exceed in value the sum of 50/. to be proceeded on in like manner	---	9
Claims.	Persons claiming forfeited goods, to give security to pay the costs occasioned by such claim	---	10
	Duties on wines to be paid for according to actual gauge	---	11
Writs of assistance.	In case of smuggled goods being landed at creeks or bays, where application cannot easily be made to a Judge of the Supreme Court, or to two magistrates, for writs of assistance; in such cases, one magistrate is empowered to grant such writ	44	1
Justices.	Justices, &c. to issue such writs, without giving notice thereof to the parties having in custody such smuggled goods: Such writs to be executed in the day-time only. If such writ is obtained and executed upon false information, the officer obtaining such writ to pay damages, &c.	---	2
<i>Surveyors.</i>			
Writs of view.	In all writs of view, or orders of court, surveyors shall truly and faithfully lay down and describe in every diagram all old-marked lines, &c. which they know, or have been informed of, under the penalty of 100/.	17	1
	Surveyors, before they survey or resurvey lands, shall give at least ten days notice, in writing, of such their intention	---	2
Quieting possession.	Recital of part of the quieting possession law	---	3
Settled lands.	Penalty on surveyors running out lands belonging to his Majesty, before settled on by mistake of surveyors or otherwise, to any one except the person in possession: Patents so obtained to be null and void	---	---
Resurveys.	Possession of lands, obtained by virtue of surveys or resurveys, deemed not good, unless the persons concerned are served with notices	---	4
	Penalty on surveyors defacing or removing lines fixed by a judgment	---	5
King's land.	Surveyors returning any plat of land as King's land, which was covered by prior plats, to be liable for damages sustained by the persons settling thereon	---	6
Returns.	Surveyors to annex an affidavit to their returns to orders for King's lands	---	7
Surveyors fees.	Fees allowed surveyors	---	8, 9
	Allowance for surveyors, when employed to survey or resurvey lands not by writ of view	---	10
Qualifications.	No person shall be appointed a surveyor, who hath not served an apprenticeship of five years, and been examined by and before three sworn surveyors, appointed by the Supreme Court, as to his qualification. Persons presuming to act as surveyors without having served such apprenticeship, or undergoing such examination, to forfeit 100/. and rendered for ever incapable of serving as such	---	11
Taxed bills.	No Judge of the Supreme Court to tax the bill of a surveyor of land, unless he takes an oath, and exhibits his diagram, and explains to such Judge the foundation of each charge	---	12
Diagram.			
Supreme Court.	Supreme Court to enforce payment of such taxation. Surveyors demanding or receiving other or greater fees than are prescribed by this law, to forfeit 100/. and be incapacitated to act as a surveyor in future	---	13
Ejectments.	In actions of ejectment, only one surveyor to be employed, and he to be appointed by the Supreme Court	---	14
	Such surveyor to be appointed by way of lottery	---	15

		Act	Clause
Forfeitures.	Surveyor so appointed, taking any gratuity other than the fees allowed by this act, or persons bribing, or attempting to bribe, such surveyor, to forfeit 100 <i>l.</i> and suffer twelve months imprisonment	17	16
Taxed bills.	Surveyors' taxed bills in ejectment, to be paid by the persons against whom judgment is given	—	17
<i>Titchfield Free-School.</i>			
Trustees.	Trustees named for carrying this act into execution	19	1
Corporation.	Trustees made a body corporate, and vested with the lands herein described	—	2
	Powers of the Trustees prescribed	—	3
	Trustees to build a house for the said free-school, and to appoint and remove masters, ushers, &c.	—	4
Scholars.	Mode in which children are to be received and dismissed from the school, and how the funds are to be applied	—	5
	Directions for the government of said school	—	6
Funds.	Trustees not to retain money belonging to the fund, in their hand beyond thirty days, or to apply the same to their use, &c.	—	7
	Persons offending against this act, how punishable	—	8
<i>Westmoreland.</i>			
	Act 31, vol. III. repealed	46	1
Wains, &c.	No wain, &c. for the carriage of goods, allowed to work or pass, but with wheels at least seven inches broad in the fellys	—	2
Wheels.	Penalty for contravening this law	—	—
	Part of act 76, vol. I. and act 100, vol. I. repealed	49	1
Hanover.	Boundaries of the parishes of Westmoreland and Hanover ascertained	—	2
Surveyors.	Surveyors to be appointed by the Justices and Vestry of each parish, to run the dividing-line	—	3
Diagram.	Surveyors to make out a diagram of said line, to be recorded in the Secretary's Office	—	4
	Surveyors to be paid by the Justices and Vestry of both parishes	—	5
Record.	Justices and Vestry to cause the return of the surveyors to be recorded by the Clerk of the Peace in each parish	—	6
Clk. of Peace.	Penalty on Justices and Vestrymen neglecting or refusing to appoint surveyors	—	7
Forfeitures.	Forfeitures hereby incurred, how to be recovered and applied	—	8
<i>Wharfage and Storeage.</i>			
Marks, &c.	Wharfingers to keep a book, and therein enter the marks, &c. of all goods landed on their wharf, and shall give receipts for the same, if required, under the penalty of 10 <i>l.</i>	5	1
Pub. wharves.	What deemed public wharves	—	—
Cranes.	Wharfingers to keep a crane, sheds, tarpaulins, &c. under the penalty of 100 <i>l.</i>	—	2
Sheds, &c.		—	3
Rum.	Wharfingers to secure rum under lock and key, under the penalty of 100 <i>l.</i>	—	4
Sheds.	Sheds to be covered with shingles, &c. under the penalty of 100 <i>l.</i>	—	5
	Wharfingers refusing to deliver goods to the owners, &c. to forfeit 100 <i>l.</i>	—	6
Weighing and gauging.	Keepers of wharves obliged to put such goods as are liable to be damaged by wet, into good stores, and to weigh and gauge produce	—	7
	Wharfingers obliged, under the penalty of 50 <i>l.</i> to enter in their wharf-books the marks and numbers of the produce, &c.	—	8
Wharf-books.	Wharfingers once in every year to swear to the truth and justice of their wharf-books	—	9
Rates.	Wharfingers to affix in their weigh-house a list of the rates of wharfage, &c. under the penalty of 40 <i>s.</i> for every day's neglect	—	—
			Wharfingers



		A.	Claufe
Forfeitures.	Wharfingers neglecting to perform their duty, or asking greater prices than allowed by this act, to forfeit 100 <i>l</i> .	5	10
	Penalties, &c. not exceeding 10 <i>l</i> . to be recovered in a summary manner; and if exceeding 10 <i>l</i> . to be recovered in the Supreme Court	—	11
Informers.	All penalties to be to the informer	—	12
Double wharfage.	All goods (rum excepted) if not taken away within two months in Kingston, and four months at the out-ports, to pay double wharfage	—	13
Table of rates.	Table of the rates of wharfage, &c.	—	—
Kingston.	Rates of wharfage and storeage at Kingston and Morant-Bay	24	1
Morant-Bay.	Certain articles not taken away from wharves in Kingston in two months, and Morant-Bay in four months, to be charged double wharfage and storeage, and for every month after, one-half wharfage, so long as they shall remain	—	2
	Other articles not taken away in one month from Kingston, and two months from Morant-Bay, to be charged one-fourth wharfage <i>per</i> month thereafter	—	3
Rates.	Wharfingers to affix and keep in view, near the place of weighing, lists of the rates of wharfage and storeage, as appointed by this act, under the penalty of 40 <i>s</i> . for every day's neglect	—	4
Forfeitures.	Wharfingers demanding or taking any higher rates than those in this act mentioned, to forfeit 100 <i>l</i> . for every offence	—	5
	Penalties, &c. not exceeding 10 <i>l</i> . to be recovered in a summary manner; and if exceeding 10 <i>l</i> . to be recovered in the Supreme Court	—	6
Informers.	All penalties to be to the informer	—	7
Montego-Bay	Rates of wharfage at Montego-Bay and Martha-Brae-Point	50	1
Martha-Brae.	Additional charge on certain articles not taken away within three months after being landed	—	2
	Additional charge on certain other articles not taken away within the like period	—	3
Rates.	Wharfingers to affix and keep in view, lists of the rates prescribed by this act, under a penalty	—	4
	Penalty on wharfingers demanding more than the established rates	—	5
Forfeitures.	Penalties and forfeitures, how to be recovered and applied	—	6, 7

*Writings, Obligatory.*

Limitation.	All bills, bonds, and other obligatory writings whatsoever, which have not been legally demanded within twenty years after they shall become due, or from the last payment thereon, to be null and void	43	4
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## O M I S S I O N.

*Free People.*

Freedom.	Free people to give in their names, and the manner they obtained freedom, to Vestry, to be recorded	38	70
Certificate. Badge.	Free people to carry about them a certificate, and wear the badge of their freedom	—	—
Vestry.	Free people not attending the Vestry, as aforefaid, to shew their right to freedom, how punishable	—	71
Vouchers.	Expense of searches for vouchers of freedom, to be paid by the parish	—	72





A

# T A B L E

OF THE

## PUBLIC AND PRIVATE ACTS

PASSED ANNO 1789.

*Public Acts, Anno 1789.*

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<b>A</b> N Act to empower the Governor, Lieutenant-Governor, or Commander in Chief of this Island, to issue Writs for the Choice of Members to serve in the Assembly of the said Island, in the room of such Members who shall die during the Recess of the Assembly, -	249
An Act to give a Recompense to Persons that shall be unjustly vexed by Writs of Replevin, - - - - -	250
An Act for licensing Hawkers and Pedlers; and for applying the Monies to arise from granting such Licences, towards the Support and Maintenance of the Poor of the Parishes where such Licenses are granted, -	253
An Act to explain and amend an Act for amending and keeping in Repair the Road leading from Pepper Plantation in the Parish of St. Elizabeth, to Savanna-la-Mar in the Parish of Westmoreland; and for vesting in Trustees the Toll raised by a Turnpike or Turnpikes on the said Road, for the Purposes aforesaid; and also for amending and keeping in Repair the Road leading from Savanna-la-Mar, in the Parish of Westmoreland, to Lucea and Green-Island, in the Parish of Hanover; and for vesting in Trustees the Toll raised by a Turnpike or Turnpikes on the said Road, - - - - -	256
An Act to secure to his Majesty's Troops, that now are or hereafter may be quartered in this Island, for the Protection thereof, to the Number for which the Faith of the Country stands pledged, the Subsistence they now receive, on certain Conditions, - - - - -	263

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	<i>Page.</i>
An Act for establishing, disciplining, and regulating the Militia; for ascertaining who shall compose future Councils of War; and for other Purposes respecting the said Militia, - - -	265
An Act for repealing so much of an Act of this Island, passed in the Year of our Lord one thousand seven hundred and eleven, entitled, " <i>An Act for regulating Fees</i> ," as establishes the Fees of the Collector, Naval-Officer, Secretary, and Receiver-General, for entering and clearing all Vessels trading to and from this Island, and for regulating the Fees of the several Officers concerned in entering and clearing all such Vessels, and for making certain Provisions for the better Management of the Offices therein mentioned, - - -	278
An Act to encourage the Importation of Horses from Great-Britain, by granting a Purse to be run for in each County; and to allow a Bounty on Neat Cattle imported into this Island from England and Ireland, - - -	283
An Act to prevent the Burying the Dead in the Churches of this Island; and to enable the Justices and Vestry of certain Parishes to purchase Lands for Burial-Grounds, - - -	287
An Act to explain and amend an Act, entitled, " <i>An Act for repealing certain Clauses of an Act for repealing an Act, entitled, 'An Act for the better discovering and collecting the Arrears of his Majesty's Quit-Rents, for the more effectual collecting the Quit-Rents hereafter to become due, and for the better discovering, ascertaining, and collecting such Arrears, and for the more effectual collecting the Quit-Rents hereafter to become due;'</i> " and for the more easy and effectual collecting, as well the Arrears of his Majesty's Quit-Rents, as the Quit-Rents hereafter to become due to his Majesty, - - -	289
An Act to enable the Directors of the Bath of Saint Thomas the Apostle to grant certain Lots and Parcels of Bath Land in Fee, and for other Purposes, - - -	294
An Act for raising several Sums of Money, and applying the same to several Uses.	
An Act for laying a Duty on Tonnage, and applying the same to the Use of the Forts and Fortifications; and for regulating the Duty of Gunpowder payable on Tonnage, by Virtue of an Act, entitled, " <i>An Act for granting a Revenue to his Majesty, his Heirs and Successors, for the Support of the Government of this Island, and for reviving and perpetuating the Acts and Laws thereof; and to enable the Receiver-General to import and purchase Gunpowder, under certain Restrictions.</i> "	
An Act to enable his Honour Alured Clarke, Esquire, Lieutenant-Governor and Commander in Chief of this Island, or the Governor or Commander in Chief for the time being, to issue his Majesty's royal Proclamation, during the Recess of the present Assembly, prohibiting the Exportation of Flour and other Provisions from this Island, for a limited Time.	
An Act for laying a Duty on all Wines, and upon Brandy, Gin, Rum, and other distilled Spirits, retailed within this Island; and for laying a further Tax on Licences to be granted for the retailing of Brandy, Gin, Rum,	



Rum, and other distilled Spirits, and on the Public Offices; and for applying the same to several Uses.

An Act to oblige the several Inhabitants of this Island to provide themselves with a sufficient Number of white Men, white Women, or white Children, or pay certain Sums of Money in case they shall be deficient, and for applying the same to several Uses; to protect Freeholders on the Days of choosing Churchwardens and Vestrymen; and to ascertain who shall be deemed duly qualified to vote at such Elections.

An Act to appoint Commissioners to inspect the Books of the Receiver-General, and to settle and adjust the Public Accounts.

An Act for the more speedy Collection of the Public Taxes, and the Arrears thereof now due.

*Private Acts, Anno 1789.*

An Act to entitle Grace Elizabeth Robertson, a free quadroon Woman, and her several Children, Sarah Stiles, Cuthbert Thornhill, Ann Robertson Gibbes, Walter Gibbes, and Catherine Swainson, free Mustees, to the same Rights and Privileges with English Subjects, born of white Parents, under certain Restrictions.

An Act to entitle Catherine Thomson, a free quadroon Woman, to the same Rights and Privileges with English Subjects, born of white Parents, under certain Restrictions.

An Act to enable George Lefslie, of the Parish of Westmoreland, Esquire, to settle and dispose of his Estate and Effects, both real and personal, in this Island, by Deed or Will, in such manner as he shall think proper, in favour of his natural Children, Theodore Lefslie, Alexander Lefslie, George Lefslie, James Lefslie, Ann Lefslie, and Jean Lefslie, and their Issue, notwithstanding an Act of the Governor, Council, and Assembly of this Island, entitled, "*An Act to prevent the Inconveniences arising from exorbitant Grants and Devises made by white Persons to Negroes, and the Issue of Negroes, and to restrain and limit such Grants and Devises.*"

An Act to entitle Frances Pedder, a free quadroon Woman, and her several Children, James Ellis, Richard Ellis, Elizabeth Jane Campbell, Edward Rowley, and Joshua Rowley, free Mustees, to the same Rights and Privileges with English Subjects, born of white Parents, under certain Restrictions.

An Act for enabling Isaac Lafcelles Winn, of the Parish of St. James, Esquire, his Executors, Administrators, or Assigns, to carry into Execution his new-invented Principles of manufacturing Sugar, and distilling Rum, with a much smaller Quantity of Fuel, and for supplying Water.

An Act to entitle Sarah Wallace, of the Parish of Kingston, a free mulatto Woman, and Jane Frazer and Elizabeth Delpratt, free Quadroons, the Daughters of the said Sarah Wallace, and Michael Parker, Hannah Parker, Samuel Delpratt Campbell, and John Delpratt Campbell, free Mustees, the Children of Sarah Delpratt, deceased, one other of the Daughters of the said Sarah Wallace, and William Steele, John Steele, Jane Steele, and Thomas Charles Cadogan, free Mustees, the Children of the said Jane Frazer, and Eleanor Delpratt Allardyce, Martha Delpratt Allardyce, and Mary Donaldson, free Mustees, the Children of the said Elizabeth Delpratt, to the same Rights and Privileges with English Subjects, born of white Parents, under certain Restrictions.

An Act to entitle William Sylvester, George Sylvester, Edward Sylvester, Elizabeth Sylvester, Sarah Sylvester, Margaret Sylvester, Mary Sylvester, and Martha Sylvester, of the Parish of St. James, free Mulattoes, and Edward Martin, Frances Martin, Elizabeth Martin, and Jane Martin, free Quadroons, the Children of the said Sarah Sylvester, Henry Gibbs, a free Quadroon, the Son of the said Margaret Sylvester, and Henry Ward, a free Quadroon, the Son of the said Martha Sylvester, to the same Rights and Privileges with English Subjects, born of white Parents, under certain Restrictions.

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An Act to enable James Small, of the Parish of Clarendon, Carpenter, to carry into Execution his new-invented Method of working of Mills for grinding of Sugar-Canes.

## PUBLIC and PRIVATE ACTS passed Anno 1790.

<i>Public Acts.</i>	<i>Page.</i>
An Act for appointing Commissioners for purchasing a sufficient Quantity of Land, on the north Side of the public Parade in the Town of Saint Jago de la Vega, whereon to fix the Statue of Lord Rodney, and to erect one or more Offices and Buildings for holding and better preserving the Public Records,	295
An Act to authorise certain Commissioners, therein named, to collect, print, and publish, the several Public Acts of Assembly of this Island; and for declaring the Acts, so published by the said Commissioners, to be Evidence in all Cases whatsoever,	299
An Act for raising a Tax by the Poll, and on Trade, Supercargoes, and Masters of Vessels in the Out-ports, and on Offices and Houses, and for laying a Tax on certain Wheel-carriages, and applying the same to several Uses.	
An Act for granting an additional Salary to his Excellency Thomas Earl of Effingham, Captain-General, Governor, and Commander in Chief, during his Administration.	

### *Private Act.*

An Act to secure to John Reeder, Esquire, his Executors, Administrators, and Assigns, the Benefit to arise from his Discovery and Invention of a Varnish for Copper, and of jointing the Seams of Copper, and making the same Water-tight without Solder.





